

ESTTA Tracking number: **ESTTA675904**

Filing date: **06/03/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Hachette Filipacchi Presse
Granted to Date of previous extension	06/03/2015
Address	149 rue Anatole Levallois-Perret Cedex, 92534 FRANCE
Attorney information	Gary H. Fechter, Esq. McCarter & English, LLP 245 Park Avenue, 27th Floor New York, NY 10167 UNITED STATES gfechter@mccarter.com, lshyavitz@mccarter.com, apang@mccarter.com, dlynch@mccarter.com Phone:2126096800

Applicant Information

Application No	86281041	Publication date	02/03/2015
Opposition Filing Date	06/03/2015	Opposition Period Ends	06/03/2015
Applicant	Jewell, Michelle Dawn 1611 S. Utica Ave., no. 278 Tulsa, OK 74104 UNITED STATES		

Goods/Services Affected by Opposition

Class 041. First Use: 2014/01/21 First Use In Commerce: 2014/01/21 All goods and services in the class are opposed, namely: Desktop publishing for others; Film and video production; Media production services, namely, video and film production; Online electronic publishing of books and periodicals; Production of cable television programs; Production of radio and television programs; Publishing of books, e-books, audio books, music and illustrations; Publishing of electronic publications; Television show production; Television, video and movie filming services; Video editing; Video recording services; Writing of texts
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Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	758137	Application Date	11/14/1962
Registration Date	10/08/1963	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1945/11/01 First Use In Commerce: 1945/00/00 Magazine		

U.S. Registration No.	861159	Application Date	02/01/1966
Registration Date	11/26/1968	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1951/03/20 First Use In Commerce: 1955/10/13 PROMOTING THE SALE OF WOMEN'S APPAREL BY OTHERS BY STAGING STYLE SHOWS AND BY THE PREPARATION OF VARIOUS TYPES OF ADVERTISING		

U.S. Registration No.	1429609	Application Date	11/04/1985
Registration Date	02/17/1987	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0 NEWS AGENCY SERVICES- NAMELY, GATHERINGAND DISSEMINATING NEWS BY ELECTRONIC TRANSMISSION		


U.S. Registration No.	1454808	Application Date	02/28/1986
Registration Date	09/01/1987	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 TOILETRIES AND COSMETICS, NAMELY PERFUMES; [COLOGNES;] TOILET WATER; ESSENTIAL OILS; [HAIR;] SKIN AND BATH LOTIONS; TOILET SOAPS; BODY LOTIONS [AND POWDERS; PERSONAL DEODORANTS; FACE POWDER AND LOTIONS;] LIPSTICK; [LIP LINERS; EYE SHADOW; EYEBROW PENCILS; EYE LINERS; LIQUID FOUNDATION; MASCARA; BLUSH; ROUGE; SKIN ASTRINGENTS; CLEANSERS AND SCRUBS; FACIAL MASKS;] SKIN MOISTURIZING LOTION; [AND CREAMS; HAIR SHAMPOO; HAIR CONDITIONING LOTION; EYE MAKE-UP REMOVER; NAIL POLISH; NAIL HARDENER; NAIL POLISH REMOVER; CUTICLE REMOVERS AND CONDITIONERS; TALCUM POWDER; SHAVING CREAM; HAIR DEPILATORIES; SUN SCREENING CREAMS; FOAMS AND LOTIONS; HAIR STYLING MOUSSE AND GELS; HAIR SPRAY;] BATH GELS AND OILS; [BUBBLE-BATHS; AND DENTRIFICESS]

U.S. Registration No.	1571639	Application Date	10/19/1988
Registration Date	12/19/1989	Foreign Priority Date	09/14/1988
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 ADDING MACHINES AND CALCULATORS		

U.S. Registration No.	2120688	Application Date	04/08/1994
Registration Date	12/16/1997	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1984/09/14 First Use In Commerce: 1984/09/14 [promoting the goods and services of others through the distribution of discount and/or priority user cards;] offering technical assistance in the establishment and/or operation of fashion shows and beauty pageants, beauty salons and fashion wear boutiques; [copyright management services; advertising slogan licensing services; organizing trade show expositions in the entertainment arts field featuring music, theater and cinematographic products; organizing trade show expositions featuring home and garden decorating products, landscaping products and culinary products]</p> <p>Class 042. First use: First Use: 1984/09/14 First Use In Commerce: 1984/09/14 [interior design services;] [architecture services; landscape gardening services; construction drafting services; technical research in the fields of landscaping, landscape gardening and interior and exterior decorating; consulting services in the fields of landscaping and landscape gardening;] providing consulting to others in the fields of beauty, health and fashion wear; [consulting in the fields of interior and exterior decorating]; consulting services in the field of cooking; [providing temporary housing accommodations, providing boarding houses and convalescent homes; providing personal escort services; providing beauty and</p>		

	hairdressing salons; providing marriage bureaus; providing costume rentals;] providing social clubs; editing written texts for others;[dating services;] [printing services; computer programming services]; [personal letter writing for others;] setting up and compiling data banks; [hotel and restaurant services; retail clothing boutique store services;] mail order services rendered by a clothing boutique; [retail clothing boutique store services offered within a department store]
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U.S. Registration No.	2199132	Application Date	07/12/1993
Registration Date	10/27/1998	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>[amusement apparatus adopted for use with television receivers, namely, audio visual teaching apparatus, namely, film and video projectors for use with or without slides, precision balances, weighing apparatus; dictating machines, record players, audiovideo receivers, audio/video tape recorders, video recorders, remote control apparatus, electronic and computer peripheral juke boxes, computers, data processors;] data bases containingstored information in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty to be read/consulted and or used on computer terminals and video equipment; [blank magnetic data carriers for computer programs and video equipment, for optical, digital or audiovisual use, namely, video discs, interactive video discs,blank and rereadable video disc; magnetic coded cards, blank audio tapes, blankmagnetic computer tapes, blank video tapes, prerecorded audio, computer and video tapes featuring themes such as music,theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; blank audio and blank video cassettes, prerecorded audio and prerecorded video cassettes featuring themes such as music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; floppy discs for computers;] compact discs, and audio and/or video discs featuring themes such as music, theater,cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; [exposed camera film and motion picture film featuring themes such as music, theater,cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; computer software programs for use in the field of consulting services on interior andexterior decorating, architecture, landscaping, gardening and horticulture, cuisine, art, furniture, critiques of residences, biographical sketches, travel, tourism, photography, fashion and sportingactivities; computer software programs for use in culinary arts, home decoration, fashion and beauty for household and domestic use; computer software programsfor use in reviewing developments and current events in the field of cinema, arts, theater, dance,</p>		

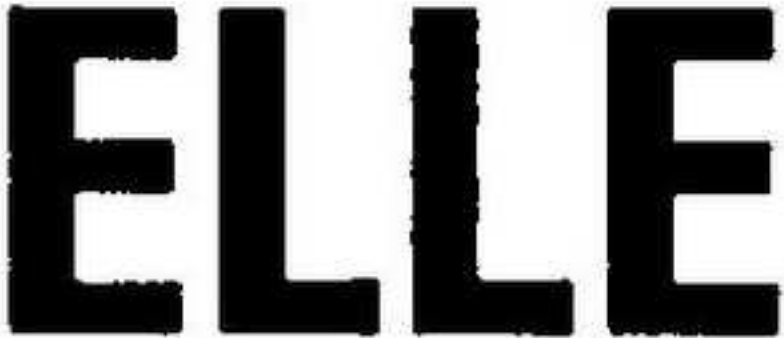
	pantomime, mime, circus, musical and literary entertainment; computer software programs for use in the field of documentaries concerning science, natural science, animal and plant life, the human body and its functions, health and diet for humans and animals, learning-a-language programs, arts, cinema and literature; cash registers and calculating machines]
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U.S. Registration No.	2242315	Application Date	05/09/1995
Registration Date	05/04/1999	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 028. First use: First Use: 0 First Use In Commerce: 0 [interactive video game programs; games, namely, boardgames, card games, manipulative games, toys, namely, wind-up toys, battery operated and non-battery operated mechanical action toys, plush toys, inflatable bath toys, battery operated and non-battery operated stuffed toys, battery operated and non-battery operated dolls]</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0 [communication services, namely, radio communication services,] telephone communications services, [telegraph services and video teleconferencing services, telegraph services and video teleconferencing services;] electronic transmission of data, images and sounds and documents via computer terminals; [television and radio broadcasting services; including cable transmissions of such services; telex transmission services; telegram transmission services;] electronic transmission of information from data banks via computer terminals; [cable television transmission services]</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 [home and office delivery of multimedia and audiovisual products, namely, videodiscs, compact discs, interactive discs, and compact discs with read only memory (CD-ROM)]</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 [educational services, namely, administration of cultural exchange programs; entertainment services, namely, sponsoring sports competitions and tournaments; education in the field of music, theater, cinema, literature, arts, home decoration, gardening, landscaping, culinary arts, fashion and beauty rendered through correspondence courses; providing classes of instruction to beginners and advanced persons in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; conducting educational conferences, workshops and courses of instruction in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; educational conferences, forums, congresses and colloquiums in the field of music, educational services, namely, administration of cultural exchange programs; entertainment services, namely, sponsoring sports competitions and tournaments; education in the field of music, theater, cinema, literature, arts, home decoration, gardening, landscaping, culinary arts, fashion and beauty rendered through correspondence courses; providing classes of instruction to beginners and advanced persons in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; conducting educational conferences, workshops and courses of instruction in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; educational conferences,] forums, [congresses and colloquiums] in the field of [music, theater, cinema, literat-</p>		

	<p>ure, arts, education, home decoration, gardening, landscaping, culinary arts,] fashion and beauty; [publication of books; entertainment in the nature of games and contests, namely, essay-writing and novel-writing contests; beauty pageants; indoor and outdoor sports competitions featuring, hockey, soccer, football and volleyball; production of radio and television programs;] entertainment services, namely, providing an on-line entertainment variety show, featuring [music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts,] fashion and beauty; [entertainment services in the nature of a cable television variety show featuring music, theater, cinema, literature, arts, education home decoration, gardening, landscaping, culinary arts, fashion and beauty; audio recording and production services; libraries and books lending services; video and game library services; video tape film production]</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>[legal consulting services; correspondence exchange services;] licensing of intellectual property; [computer programming services; programming electronic instruments for others; editing of written texts; news syndication reporting; language translation; printing services; rental of computers and rental of display apparatus for use in multimedia presentations using slides, film, tape recordings and special lighting effects;] editing of written texts, [illustrations books,] book reviews, [newspapers,] periodicals, magazines and publications of all types regardless of their form, including electronic and digitalized publications, [desktop publishing of sound and/or visual media - or multimedia software programs for others;] compiling data bases and data banks for use by others; [production and rental of motion picture film,video-cassette tapes and multi-media entertainment software]</p>
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U.S. Registration No.	2914032	Application Date	08/30/1990
Registration Date	12/28/2004	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0</p> <p>beauty and cosmetic products, namely, [sun-tanning preparations (cosmetics), cosmetic and eyebrow pencils,] cosmetics creams, [make-up removing preparations, dentifrice, depilatories and depilatory preparations, cleansing milk for toilet purposes, make-up, make-up powder, make-up preparations, beauty masks, nail care preparations, nail varnish, false-nails,] cosmetic preparations for skin care, [cosmetic preparations for slimming purposes in the form of oil, lotion, cream and gel, oils for cosmetic purposes, pomades for cosmetic purposes, deodorants for personal use, cotton sticks and cotton wool for cosmetic purposes, cosmetic kits, namely, a small bag, box or case containing lipstick, blush, mascara, cosmetic pencils and eyeshadow, cosmetic preparations for baths, cosmetic preparations for eyelashes, eyebrow cosmetics, decorative transfers for cosmetics purposes]</p> <p>Class 021. First use: First Use: 0 First Use In Commerce: 0</p> <p>((hair brushes,)) [nail brushes, eyebrow brushes, hair combs, cosmetic wipes, powder puffs and perfume sprayers sold empty]</p>		


U.S. Registration No.	3492949	Application Date	11/24/2006
Registration Date	08/26/2008	Foreign Priority Date	NONE

Word Mark	ELLE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 Beauty products, namely, [essential oils,] make-up, lipstick, eye shadow, mascara, [rouge,] blush, nail polish, cosmetic creams, cleansing milks and cosmetics, perfumery, [deodorant for personal use, suntan creams,] eau de cologne and eau de toilette, [toilet soaps,] bath, [shaving,] skin and toiletry body lotions, [bath and non-medicated toiletry salts, oils,] body gels, shampoos


U.S. Registration No.	3727498	Application Date	12/31/2008
Registration Date	12/22/2009	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 0 First Use In Commerce: 0 Advertising services, in particular by means of advertorials, for others, by means of co-branding operations, by means of the sale and/or rental of display stands, placards and printed and/or electronic promotional media, for the promotion of miscellaneous goods and services, in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and		

	<p>meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; publication of advertising texts; advertising mailing; online advertising on a computer network; compilation of data and information into databases; commercial information and consulting services in relation to sale and promoting of various goods and services in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; services provided by a franchiser, namely, assistance in the operation or management of commercial companies; arranging of subscriptions for the publication of others in particular newspapers, magazines and electronic publications accessible via and on the Internet; data entry and processing services, namely, data entry, data systematization, computerized file management; services relating to sales promotion activity in all forms and, especially referral services, sponsorship, co-branding operations and campaigns of promotional information concerning various goods and services, in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; presentation of goods on any communication means for retail sales; commercial information and advice for consumers; organization of exhibitions for commercial or advertising purposes; mail order catalog services, retail store services and online retail store services featuring a wide variety of goods and services especially in the fields of fashion, clothing, fashion articles and fashion accessories, leather goods and luggage, beauty and hygiene, cosmetics, soaps, perfumery, essential oils, hygiene preparations, toilet articles, infant care, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, electronic and electric household appliances, computer and electronic goods, TV sets, Hi-Fi sets, video sets, telephony, robotics, home automation, sport articles, games and toys, printed matter; mail order services, retail store services and on-line retail store services featuring various goods and services especially in the fields of fashion, clothing, fashion articles and fashion accessories, leather goods and luggage, beauty and hygiene, cosmetics, soaps, perfumery, essential oils, hygiene preparations, toilet articles, infant care, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative</p>
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	objects, furniture, electronic and electric household appliances, computer and electronic goods, TV sets, Hi-Fi sets, video sets, telephony, robotics, home automation, sport articles, games and toys and printed matter
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U.S. Registration No.	3745516	Application Date	12/20/2005
Registration Date	02/02/2010	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2005/09/15 First Use In Commerce: 2006/06/01 Downloadable electronic publications in the nature of magazines and newsletters in the field of beauty, fashion, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; downloadable ring tones, logos, photos, fashion and beauty videos, games and horoscopes via a global computer network and wireless devices</p> <p>Class 025. First use: First Use: 2005/08/31 First Use In Commerce: 2005/08/31 Sleepwear, namely, short and long gowns, pajamas, sleepshirts, robes, tops, shorts; headband</p> <p>Class 026. First use: First Use: 2004/05/31 First Use In Commerce: 2004/05/31 All kinds of hair accessories, namely, barrettes, bows, elastic ribbons, hair clips, hair bands, ponytail holders, hairpins, non-electric hair rollers, twistors, hair ornaments</p>		

U.S. Registration No.	3943368	Application Date	05/28/2010
Registration Date	04/12/2011	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of	NONE		

Mark			
Goods/Services	Class 044. First use: First Use: 0 First Use In Commerce: 0 Beauty spa services, namely, cosmetic body care; health spa services for healthand wellness of the body and spirit, namely, providing massage, facial and bodytreatment services, waxing, nail care, manicures, pedicures and hairdress-ing services		
U.S. Registration No.	4284558	Application Date	06/11/2010
Registration Date	02/05/2013	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(e)) Video recordings featuring music, theater, cinema, literat-ure,arts, as well as home decoration, gardening, landscaping, culinary arts, fashion and beauty Class 038. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Transmissionand broadcast of images, sounds, data, information by computer terminals; providing user access to a global com-puter network; interactive communication services, namely, interactive delivery of videoover digital networks, transmission of sound and vision via satellite or in-teractive multimedia networks; information transmission services via digital net-works designed for public information; communications on computer networks in general; transmission of information by electronic means; providing discussion forums on the Internet; virtual chat rooms established via text messaging; instant messaging services; wireless electronic transmission of voice signals, data, fac-similes, images and information (Based on 44(e)) Television and radio broad-casting services, including cable transmissions of such services; communication services,namely, cable television transmission services; transmission and broadcast of images, sounds, data, information by cable, by data communica-tions channel, namely, cable, satellite and fiber optics andvia telecommunication networks, wireless communication networks and the internet; broadcasting of ra-dio and television programs; providing online forums for transmission of mes-sages in the fields of literature, education, home decoration, publication of books Class 041. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Online publication of books, periodicals, newspa-per,magazines, illustrations; providing an online magazine featuring information inthe fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; entertain-ment services, namely, providing an online service featuring photographs, and other multimedia materials in the fields ofentertainment, music, theater, cinema, literature, arts, and education; providing a web site featuring information in the		

	<p>fields of music, and commentary and articles of general interest issues in the fields of entertainment and games; (Based on 44(e)) Entertainment in the nature of beauty pageants; production of television programs; entertainment services in the nature of a cable television variety show featuring fashion and beauty; video tape film production; services for the public entertainment, namely, organization of shows for cultural purposes; organization of conferences, forums, congresses, colloquiums in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, media for non business purposes; production and editing of movie, radio and television programs, including computer editing of texts and still or animated images and musical or non-musical sound, for interactive use or not; organization of sports competitions and arranging and conducting competitions in the fields of fitness and exercise, fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, child and adolescent educational issues, home decoration, gardening, landscaping, and media; organization of games and lotteries; production and editing of radio information and entertainment programs; entertainment services, namely, providing on-line computer games; providing a web site featuring non downloadable musical performances, musical videos, video recordings and related film clips; assisting others with online electronic publishing; providing of information via the Internet in the fields of literature and education; publication of books; publishing of illustrations, books, newspapers, and video-cassette tapes</p> <p>Class 042. First use: First Use: 2002/01/31 First Use In Commerce: 2002/01/31 (Based on Use in Commerce) Computer services, namely, interactive hosting services which allow the user to publish and share their own content and images online; providing search engines on the Internet; hosting a website allowing users to download texts, press articles, photographs, telegrams, pictures, logos, messages, data, sounds, ringtones, music, games, video, and information; providing customer-generated content in the nature of customized web pages and other data feed formats featuring user-defined information; hosting digital content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer; (Based on 44(e)) providing a website allowing users to upload and download electronic files; computer programming services; creating and designing web pages for others; providing search platforms to allow users to request content from and receive content to a mobile device; design, development and hosting of data banks, databases and websites for others; providing of information via the Internet in the field of home decoration; providing an online service featuring photographs, and other multimedia materials in the field of home decoration</p> <p>Class 044. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Providing a web site featuring information in the field of beauty; providing an online service featuring photographs, and other multimedia materials in the field of beauty</p> <p>Class 045. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing horoscope information via computer networks; providing an online service featuring photographs, and other multimedia materials in the field of fashion</p>
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U.S. Registration No.	4314947	Application Date	06/17/2011
Registration Date	04/02/2013	Foreign Priority Date	NONE
Word Mark	ELLE		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 003. First use: First Use: 2012/04/30 First Use In Commerce: 2012/04/30 Beauty and cosmetic products, namely, make-up, make-up powders, make-up preparations, nail varnishes, pomades for cosmetic purposes, cosmetic preparations for eyelashes, nail emery boards</p> <p>Class 008. First use: First Use: 2012/04/30 First Use In Commerce: 2012/04/30 Tweezers, eyelash curlers, nail files and clippers; nail scissors, cuticle trimmer</p> <p>Class 021. First use: First Use: 2012/04/30 First Use In Commerce: 2012/04/30 Eyebrow brushes, hair combs, perfume sprayers sold empty</p>

U.S. Registration No.	4332238	Application Date	12/10/2009
Registration Date	05/07/2013	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 004. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Candles</p> <p>Class 018. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Mini handbags, satchels</p> <p>Class 020. First use: First Use: 2010/09/11 First Use In Commerce: 2010/09/11 Furniture, picture frames; decorating accessories, namely, figurines made of plastic, wood, glass or ceramic; decorative pillows, decorative boxes made of plastic, side tables</p> <p>Class 021. First use: First Use: 2010/09/11 First Use In Commerce: 2010/09/11 Dishes, plates, trays for domestic purposes, perfume vaporizers sold empty, buckets, pails, soup plates, bowls, decorative boxes made of glass; decorative items, namely, decorative figurines made in ceramic, decorative trays; vases, serving trays, candle holders</p>		

	Class 025. First use: First Use: 2008/09/30 First Use In Commerce: 2008/09/30 Tunics, shorts; Ladies apparel, namely, tops, turtlenecks, cardigans, tunics, trench coats, jeans, capris, belts; swimwear; leggings, bermuda shorts, jogging suits, parkas, mittens, tights, stockings; Articles for new born babies, namely, body suits, tee-shirts, sweaters, pants, sleepers, dresses, leggings, cardigans, blouses
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U.S. Registration No.	3254776	Application Date	03/24/2005
Registration Date	06/26/2007	Foreign Priority Date	NONE
Word Mark	ELLE ACCESSORIES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2005/08/30 First Use In Commerce: 2005/08/30 Magazines in the field of beauty and fashion		

U.S. Registration No.	3730569	Application Date	10/20/2008
Registration Date	12/29/2009	Foreign Priority Date	NONE
Word Mark	ELLE GIRL		
Design Mark			
Description of Mark	The mark consists of the word "ELLE GIRL" in stylized lettering; the word "ELLE" above the word "GIRL" which is in a larger size than the word "ELLE".		
Goods/Services	Class 009. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Downloadable electronic newsletters in the field of general interest issues for girls and young women, in the fields of fashion, beauty, entertainment, games; video recordings featuring music, general interest issues for girls and young wo-		

	<p>men, in the fields of fashion, beauty, entertainment, games</p> <p>Class 038. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Virtual chat rooms established via textmessaging; instant messaging services; wireless electronic transmission of voice signals, data, facsimiles, images and information</p> <p>Class 041. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Providing on-line publications in the nature of an online magazine, dealing with general interest issues for girls and young women; online magazine featuring information in the fields of fashion, beauty, entertainment; entertainment services, namely, providing on-line computer games; entertainment services, namely, providing a web site featuring musical performances, musical videos, video recordings, related film clips, photographs, and other multimedia materials; providing a web site featuring information in the field of music, and commentary and articles of general interest issues for girls and young women, in the fields of entertainment and games; all on-line via a global computer network</p> <p>Class 042. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Computer services, namely, providing search platforms to allow users to request content from and receive content to a mobile device; computer services, namely, interactive hosting services which allow the user to publish and share their own content and images online; providing customer-defined generated content and content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer</p> <p>Class 044. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Providing a web site featuring information in the field of beauty</p> <p>Class 045. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing horoscope information via computer networks</p>
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Attachments	<p>73566750#TMSN.png(bytes) 74411619#TMSN.png(bytes) 79044656#TMSN.png(bytes) 77642165#TMSN.png(bytes) 78981251#TMSN.png(bytes) 85050513#TMSN.png(bytes) 85061017#TMSN.png(bytes) 85978681#TMSN.png(bytes) 77983507#TMSN.png(bytes) 78594067#TMSN.png(bytes) 77596109#TMSN.png(bytes) HFP vs. Jewell Michelle Dawn - Notice of Opposition.pdf(1238244 bytes) HFP vs. Jewell Michelle Dawn - Exhibit A to Notice of Opposition.pdf(965737 bytes)</p>
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/ghf/
Name	Gary H. Fechter, Esq.

Date	06/03/2015
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 86/281,041
Published in the *Official Gazette* on February 3, 2015

HACHETTE FILIPACCHI PRESSE,	-----X	
	:	Opposition No. _____
	:	
Opposer,	:	
	:	
v.	:	
	:	
MICHELLE DAWN JEWELL	:	
AKA ELLE JEWELL,	:	
	:	
Applicant.	:	
	-----X	

Opposer Hachette Filipacchi Presse, a French corporation with a principal place of business at 149, Rue Anatole France, Levallois-Perret Cedex, 92534, France (“Opposer”), believes that it would be damaged by the issuance of a registration for the trademark ELLE JEWELL PROMOTIONS & PRODUCTIONS (“Applicant’s Mark”) as applied for in Application Serial No. 86/281,041 (the “Application”) filed on May 14, 2014 by Michelle Dawn Jewell AKA Elle Jewell, an individual having an address of 1611 S. Utica Ave., no. 278, Tulsa, Oklahoma 74104 (“Applicant”), and therefore opposes registration of same under Section 13 of the U.S. Trademark Act, 15 U.S.C. § 1063.

The grounds for the opposition are:

1. On May 14, 2014, Applicant filed the Application for “Desktop publishing for others; Film and video production; Media production services, namely, video and film production; Online electronic publishing of books and periodicals; Production of cable television programs; Production of radio and television programs; Publishing of books, e-books, audio books, music and illustrations; Publishing of electronic publications; Television show

production; Television, video and movie filming services; Video editing; Video recording services; Writing of texts” in Class 41 (collectively, “Applicant’s Services”).

2. Applicant filed the Application based on her use in commerce of Applicant’s Mark in connection with Applicant’s Services. Applicant claims a first use date of January 21, 2014, and a first use in commerce date of January 21, 2014.

3. The Application was published for opposition in the Official Gazette on February 3, 2015.

4. Opposer has timely filed a request for extension of the deadline for opposing the Application. The current deadline to oppose the Application is June 3, 2015.

5. Opposer is the owner of the world famous brand ELLE.

6. *ELLE* is said to be the world’s largest fashion magazine, with 46 international editions in over 60 countries totaling 6.5 million copies sold each month, and 21 million readers globally. *ELLE* print and digital magazines feature extensive coverage (e.g., articles, photography and advertisements) of fashion, celebrities, apparel, jewelry, film, television, arts and entertainment. *ELLE* magazine and the ELLE brand are extensively promoted on the Internet, via social networking sites, at newsstands and elsewhere, and enjoy substantial sales and reputation.

7. *ELLE* magazine has been regularly distributed in the United States since its launch in 1985. The U.S. edition of *ELLE* magazine is widely circulated in print, with 1,128,186 copies sold monthly for a reach of 5,245,000 readers. *ELLE* magazine is also digitally available on Opposer’s ELLE.com website, which receives 1,968,000 unique visitors for a total of 21,000,000 pages viewed, and, since at least as early as September 2010, on Apple and Android tablets through an ELLE application. The ELLE application receives approximately 38,480

visits per month. Opposer's ELLE electronic newsletter is circulated weekly to its 130,000 subscribers.

8. Not only is Opposer's mark ELLE famous as a magazine publication paper and electronic, but also more generally in the music and entertainment fields, with a strong diversification of the trademark for a wide range of goods and services, including CD's and videos. The ELLE mark has been used in connection with such goods and services as the online publication of books and magazines; providing an online magazine; television program production services; video tape film production services; electronic publishing services; electronic applications and goods, including fitness DVDs, videos, iPad applications and mobile applications, appliances such as phone and phone accessories, and electronic publications, clothes, shoes, jewelry, cell phones, hair accessories, watches, eyewear, bags, cosmetics, perfumes.

9. The ELLE mark has also established a strong presence on the Internet through numerous websites, including, but not limited to, www.elle.com, www.elleuk.com and www.ellecanada.com, each of which has millions of visitors per month. For example, the elle.com website features videos and film clips in the fields of fashion and accessories, hair and beauty, pop culture, film, news, life and love, shopping, and other topics of interest, plus links to third-party videos. The elle.com site also offers a video platform with eight channels which include fashion, celebrity and runway. Further, a number of the ELLE websites, including elleuk.com website, contain ELLE TV features. Opposer's ELLE mark enjoys great media presence in video, television and entertainment.

10. The ELLE mark has been used extensively in connection with entertainment related services and promotions, as a natural extension of its focus on fashion, pop culture,

music, film, art and celebrities. Among these many activities are, since 2010 Opposer has sponsored the ELLE Women in Television event, which recognizes the top women in the television industry, and the ELLE Women in Music event, which honors some of the top female entertainers. Opposer has hosted the ELLE Style Awards almost annually since 2002. In Fall 2014, Opposer sponsored its 21st annual ELLE Women in Hollywood event, honoring some of the top female film actresses. These events are widely reported in internationally distributed media such as the *Hollywood Reporter*, *Variety*, *Celebrity Gossip*, *The Los Angeles Times*, *The Huffington Post*, *The Denver Post*, *YouTube* and, of course the various platforms for *ELLE* magazine and other widely distributed publications and websites.

11. The ELLE brand has been extensively promoted and advertised for magazines and various merchandise related to fashion, celebrity style, jewelry, film, arts, entertainment, beauty. As a result of Opposer's efforts, Opposer's ELLE-branded magazines and merchandise have resulted in annual sales of millions of dollars in the United States. The ELLE mark has become distinctive of Opposer's goods and services, and Opposer's ELLE mark has come to represent enormous goodwill for Opposer.

12. The ELLE mark is universally recognized as a distinct brand associated with inspiring women to create their own style and other positive values in modern society. On account of this reputation, Opposer enjoys a prominent following on social media including 1,129,641 followers on Facebook, 1,820,588 Twitter followers, 21,905 followers on YouTube and 2,216,361 followers on Google+.

13. The Trademark Trial and Appeal Board has determined that Opposer's mark ELLE "is famous in connection with its magazine and within the fashion industry generally, and

is entitled to broad protection.” *Hachette Filipacchi Presse v. Ev Int’l, LLC*, Opposition No. 91174433 (TTAB Sept. 5, 2003).

14. Opposer owns numerous registrations for its family of ELLE-formative marks covering, as listed below, various goods and services (collectively, “Opposer’s Goods and Services”), including the following (collectively, the “Opposer’s Marks”):

Mark	Reg. No.	Reg. Date	Goods / Services
ELLE	0758137	Oct. 8, 1963	Class 16: Magazine
ELLE	0861159	Nov. 26, 1968	Class 35: Promoting the sale of women's apparel by others by staging style shows and by the preparation of various types of advertising
E L L E	1429609	Feb. 17, 1987	Class 42: News agency services- namely, gathering and disseminating news by electronic transmission
ELLE	1454808	Sept. 1, 1987	Class 3: Toiletries and cosmetics, namely perfumes; toilet water; essential oils; skin and bath lotions; toilet soaps; body lotions; lipstick; skin moisturizing lotion; bath gels and oils
ELLE	1571639	Dec. 19, 1989	Class 9: Adding machines and calculators
ELLE	2120688	Dec. 16, 1997	Class 35: Offering technical assistance in the establishment and/or operation of fashion shows and beauty pageants, beauty salons and fashion wear boutiques Class 42: Providing consulting to others in the fields of beauty, health and fashion wear; consulting services in the field of cooking; providing social clubs; editing written texts for others; setting up and compiling data banks; mail order services rendered by a clothing boutique

Mark	Reg. No.	Reg. Date	Goods / Services
E L L E	2199132	Oct. 27, 1998	Class 9: Data bases containing stored information in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty to be read/consulted and or used on computer terminals and video equipment; compact discs, and audio and/or video discs featuring themes such as music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty
ELLE	2242315	May 4, 1999	<p>Class 38: Telephone communications services; electronic transmission of data, images and sounds and documents via computer terminals; electronic transmission of information from data banks via computer terminals</p> <p>Class 41: Forums in the field of fashion and beauty; entertainment services, namely, providing an on-line entertainment variety show, featuring fashion and beauty</p> <p>Class 42: Licensing of intellectual property; editing of written texts, book reviews, periodicals, magazines and publications of all types regardless of their form, including electronic and digitalized publications, compiling data bases and data banks for use by others</p>
ELLE	2914032	Dec. 28, 2004	<p>Class 3: beauty and cosmetic products, namely, cosmetics creams, cosmetic preparations for skin care</p> <p>Class 21: hair brushes</p>
ELLE ₁	3492949	Aug. 26, 2008	Class 3: Beauty products, namely, make-up, lipstick, eye shadow, mascara, blush, nail polish, cosmetic creams, cleansing milks and

Mark	Reg. No.	Reg. Date	Goods / Services
			cosmetics, perfumery, eau de cologne and eau de toilette, bath, skin and toiletry body lotions, body gels, shampoos
ELLE	3727498	Dec. 22, 2009	Class 35: Advertising services, in particular by means of advertorials, for others, by means of co-branding operations, by means of the sale and/or rental of display stands, placards and printed and/or electronic promotional media, for the promotion of miscellaneous goods and services, in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; publication of advertising texts; advertising mailing; online advertising on a computer network; compilation of data and information into databases. commercial information and

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>consulting services in relation to sale and promoting of various goods and services in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; services provided by a franchiser, namely, assistance in the operation or management of commercial companies; arranging of subscriptions for the publication of others in particular newspapers, magazines and electronic publications accessible via and on the Internet; data entry and processing services, namely, data entry, data systematization, computerized file management. services relating to sales promotion activity in all forms and, especially referral services, sponsorship, co-branding</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>operations and campaigns of promotional information concerning various goods and services, in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; presentation of goods on any communication means for retail sales; commercial information and advice for consumers; organization of exhibitions for commercial or advertising purposes. mail order catalog services, retail store services and online retail store services featuring a wide variety of goods and services especially in the fields of fashion, clothing, fashion articles and fashion accessories, leather goods and luggage, beauty and hygiene, cosmetics, soaps, perfumery, essential oils, hygiene</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>preparations, toilet articles, infant care, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, electronic and electric household appliances, computer and electronic goods, TV sets, Hi-Fi sets, video sets, telephony, robotics, home automation, sport articles, games and toys, printed matter; mail order services, retail store services and on-line retail store services featuring various goods and services especially in the fields of fashion, clothing, fashion articles and fashion accessories, leather goods and luggage, beauty and hygiene, cosmetics, soaps, perfumery, essential oils, hygiene preparations, toilet articles, infant care, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, electronic and electric household appliances, computer and electronic goods, TV sets, Hi-Fi sets, video sets, telephony, robotics, home automation, sport articles, games and toys and printed matter</p>
ELLE	3745516	Feb. 2, 2010	<p>Class 9: Downloadable electronic publications in the nature of magazines and newsletters in the field of beauty, fashion, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; downloadable ring tones, logos, photos, fashion and beauty videos, games and horoscopes via a global computer network</p>


Mark	Reg. No.	Reg. Date	Goods / Services
			<p>and wireless devices.</p> <p>Class 25: Sleepwear, namely, short and long gowns, pajamas, sleepshirts, robes, tops, shorts; headband.</p> <p>Class 26: All kinds of hair accessories, namely, barrettes, bows, elastic ribbons, hair clips, hair bands, ponytail holders, hair pins, non-electric hair rollers, twistors, hair ornaments.</p>
ELLE	3943368	Apr. 12, 2011	Class 44: Beauty spa services, namely, cosmetic body care; health spa services for health and wellness of the body and spirit, namely, providing massage, facial and body treatment services, waxing, nail care, manicures, pedicures and hairdressing services
ELLE	4284558	Feb. 5, 2013	<p>Class 9: (Based on 44(e)) Video recordings featuring music, theater, cinema, literature, arts, as well as home decoration, gardening, landscaping, culinary arts, fashion and beauty</p> <p>Class 38: (Based on Use in Commerce) Transmission and broadcast of images, sounds, data, information by computer terminals; providing user access to a global computer network; interactive communication services, namely, interactive delivery of video over digital networks, transmission of sound and vision via satellite or interactive multimedia networks; information transmission services via digital networks designed for public information; communications on computer networks in general; transmission of information by electronic means; providing discussion forums on the Internet; virtual chat rooms</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>established via text messaging; instant messaging services; wireless electronic transmission of voice signals, data, facsimiles, images and information (Based on 44(e)) Television and radio broadcasting services, including cable transmissions of such services; communication services, namely, cable television transmission services; transmission and broadcast of images, sounds, data, information by cable, by data communications channel, namely, cable, satellite and fiber optics and via telecommunication networks, wireless communication networks and the internet; broadcasting of radio and television programs; providing online forums for transmission of messages in the fields of literature, education, home decoration, publication of books.</p> <p>Class 41: (Based on Use in Commerce) Online publication of books, periodicals, newspaper, magazines, illustrations; providing an online magazine featuring information in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; entertainment services, namely, providing an online service featuring photographs, and other multimedia materials in the fields of entertainment, music, theater, cinema, literature, arts, and education; providing a web site featuring information in the fields of music, and commentary and articles of general interest issues in the fields of entertainment and games; (Based on 44(e)) Entertainment in the nature of beauty pageants; production of television programs;</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>entertainment services in the nature of a cable television variety show featuring fashion and beauty; video tape film production; services for the public entertainment, namely, organization of shows for cultural purposes; organization of conferences, forums, congresses, colloquiums in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, media for non business purposes; production and editing of movie, radio and television programs, including computer editing of texts and still or animated images and musical or non-musical sound, for interactive use or not; organization of sports competitions and arranging and conducting competitions in the fields of fitness and exercise, fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, child and adolescent educational issues, home decoration, gardening, landscaping, and media; organization of games and lotteries; production and editing of radio information and entertainment programs. entertainment services, namely, providing on-line computer games; providing a web site featuring non downloadable musical performances, musical videos, video recordings and related film clips; assisting others with online electronic publishing; providing of information via the Internet in the fields of literature and education; publication of books; publishing of illustrations, books, newspapers, and video-cassette tapes.</p> <p>Class 42: (Based on Use in Commerce) Computer services, namely, interactive hosting services which allow the user to</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>publish and share their own content and images online; providing search engines on the Internet; hosting a website allowing users to download texts, press articles, photographs, telegrams, pictures, logos, messages, data, sounds, ringtones, music, games, video, and information; providing customer-generated content in the nature of customized web pages and other data feed formats featuring user-defined information; hosting digital content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer; (Based on 44(e)) providing a website allowing users to upload and download electronic files; computer programming services; creating and designing web pages for others; providing search platforms to allow users to request content from and receive content to a mobile device; design, development and hosting of data banks, databases and websites for others; providing of information via the Internet in the field of home decoration; providing an online service featuring photographs, and other multimedia materials in the field of home decoration.</p> <p>Class 44: (Based on Use in Commerce) Providing a web site featuring information in the field of beauty; providing an online service featuring photographs, and other multimedia materials in the field of beauty.</p> <p>Class 45: (Based on Use in Commerce) Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			horoscope information via computer networks; providing an online service featuring photographs, and other multimedia materials in the field of fashion.
ELLE	4314947	Apr. 2, 2013	<p>Class 3: Beauty and cosmetic products, namely, make-up, make-up powders, make-up preparations, nail varnishes, pomades for cosmetic purposes, cosmetic preparations for eyelashes, nail emery boards</p> <p>Class 8: Tweezers, eyelash curlers, nail files and clippers; nail scissors, cuticle trimmer</p> <p>Class 21: Eyebrow brushes, hair combs, perfume sprayers sold empty</p>
ELLE	4332238	May 7, 2013	<p>Class 4: Candles</p> <p>Class 18: Mini handbags, satchels</p> <p>Class 20: Furniture, picture frames; decorating accessories, namely, figurines made of plastic, wood, glass or ceramic; decorative pillows, decorative boxes made of plastic, side tables</p> <p>Class 21: Dishes, plates, trays for domestic purposes, perfume vaporizers sold empty, buckets, pails, soup plates, bowls, decorative boxes made of glass; decorative items, namely, decorative figurines made in ceramic, decorative trays; vases, serving trays, candle holders</p> <p>Class 25: Tunics, shorts; Ladies apparel, namely, tops, turtlenecks, cardigans, tunics, trench coats, jeans, capris, belts; swimwear; leggings, bermuda shorts, jogging suits, parkas, mittens, tights, stockings; Articles for new born babies, namely, body suits, tee-shirts, sweaters, pants, sleepers, dresses,</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			leggings, cardigans, blouses
ELLE ACCESSORIES	3254776	June 26, 2007	Class 16: Magazines in the field of beauty and fashion
	3730569	Dec. 29, 2009	<p>Class 9: Downloadable electronic newsletters in the field of general interest issues for girls and young women, in the fields of fashion, beauty, entertainment, games; video recordings featuring music, general interest issues for girls and young women, in the fields of fashion, beauty, entertainment, games.</p> <p>Class 38: Virtual chat rooms established via text messaging; instant messaging services; wireless electronic transmission of voice signals, data, facsimiles, images and information.</p> <p>Class 41: Providing on-line publications in the nature of an online magazine, dealing with general interest issues for girls and young women; online magazine featuring information in the fields of fashion, beauty, entertainment; entertainment services, namely, providing on-line computer games; entertainment services, namely, providing a web site featuring musical performances, musical videos, video recordings, related film clips, photographs, and other multimedia materials; providing a web site featuring information in the field of music, and commentary and articles of general interest issues for girls and young women, in the fields of entertainment and games; all on-line via a global computer network.</p> <p>Class 42: Computer services, namely, providing search platforms to allow users to</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>request content from and receive content to a mobile device; computer services, namely, interactive hosting services which allow the user to publish and share their own content and images online; providing customer-defined generated content and content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer.</p> <p>Class 44: Providing a web site featuring information in the field of beauty.</p> <p>Class 45: Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing horoscope information via computer networks.</p>

Copies of the certificates of registrations for Opposer's Marks are attached as Exhibit A and made of record.

15. Each of Opposer's Marks is valid, subsisting and in full force and effect.
16. Each of Opposer's Marks is at least *prima facie* evidence of the validity of each registration, of Opposer's ownership thereof, and of Opposer's exclusive right to use such registered marks on the goods or services set forth in the registration.

17. Registration Nos. 0758137, 0861159, 1429609, 1454808, 1571639, 2120688, 2199132, 2242315 and 2914032 (as to the Class 3 goods) are incontestable pursuant to Section 15 of the U.S. Trademark Act, 15 U.S.C. § 1065, and thus serve as conclusive evidence of the validity of Opposer's Marks pursuant to 15 U.S.C. § 1115(b).

18. As of Applicant's filing of the Application on May 14, 2014, Applicant was on constructive notice of Opposer's Marks and Opposer's rights in Opposer's Marks as set forth in the registrations for Opposer's Marks and, on information and belief, was on actual notice of Opposer's use of and rights in the ELLE mark, including in connection with the promotion of goods and services bearing the ELLE label in the fields of fashion, fashion accessories, arts, film, television, entertainment, lifestyle, beauty and hygiene, and in connection with electronic goods and applications, including online videos, television program production, videotape film production, cell phones, fitness DVDs, appliances and publications, given the fame of the ELLE mark in the magazine publishing, fashion and entertainment, and beauty industries.

19. Opposer's rights as conferred by Opposer's Marks were in effect prior to any filing date or date of first use upon which Applicant can rely.

20. Applicant's Mark is confusingly similar to Opposer's Marks and is proposed to be applied to services that either are identical or similar and closely related to the goods and services offered and sold by Opposer under Opposer's Marks. Applicant's Mark so closely resembles Opposer's Marks as to be likely to be confused therewith and mistaken therefor. Applicant's Mark is deceptively similar to Opposer's Marks so as to cause confusion and lead to deception as to the origin of services bearing Applicant's Mark.

21. Upon information and belief, services offered in relation to Applicant's Mark will be promoted and sold or offered for sale through the same distribution channels and to the same classes of consumers as goods and services bearing Opposer's Marks.

22. Applicant's Mark suggests an affiliation, connection or sponsorship between Applicant and Opposer, where none exists.

23. Opposer is not affiliated or connected with Applicant; nor has Opposer endorsed or sponsored Applicant.

24. If Applicant is permitted to register Applicant's Mark, the registration will give Applicant a *prima facie* exclusive right to the use of Applicant's Mark in violation and derogation of the established prior rights of Opposer.

**FIRST CLAIM FOR RELIEF
LIKELIHOOD OF CONFUSION**

25. Opposer incorporates by reference Paragraphs 1 through 24, as if fully set forth herein.

26. Applicant's Mark is highly similar in sound, appearance and commercial impression to Opposer's Marks, since the dominant element of Applicant's Mark is ELLE and the terms "PROMOTIONS & PRODUCTIONS" are disclaimed by the Applicant. In addition, Opposer co-brands the ELLE mark for numerous products and services, and, thus, the additional term JEWELL could be viewed as denoting another line extension or co-branding project from Opposer.

27. Applicant's Mark is being used in connection with services that are identical or closely related to the goods and services for which Opposer uses Opposer's Marks and any extension, and are promoted and sold or offered for sale in the same or similar channels of trade, to the same or similar purchasers.

28. Based on the similarities of the marks and the goods and services, the public is likely to associate the services offered by Applicant under Applicant's Mark with Opposer or with Opposer's Goods and Services to believe that Applicant's services are sponsored, endorsed or licensed by Opposer, or that there is some relationship between Applicant and Opposer.

29. The granting of a trademark registration for Applicant's Mark to Applicant would be contrary to Section 2(d) of the U.S. Trademark Act, 15 U.S.C. § 1052(d), and would violate or diminish the prior and superior rights of Opposer in Opposer's Marks.

30. The presumption of exclusivity that would arise from a registration to Applicant of Applicant's Mark is inconsistent with Opposer's prior rights in Opposer's Marks.

31. Opposer will be thus damaged by the registration of Applicant's Mark because such registration will support and assist Applicant in the confusing and misleading use of Applicant's Mark and will give color of exclusive statutory rights to Applicant in violation and derogation of the prior and superior rights of Opposer.

**SECOND CLAIM FOR RELIEF
FALSE SUGGESTION OF A CONNECTION WITH OPPOSER**

32. Opposer incorporates by reference Paragraphs 1 through 31, as if fully set forth herein.

33. Applicant has no legitimate connection with Opposer and has no authority or permission to use a trademark suggesting such a connection.

34. Applicant's Mark is not registrable pursuant to Section 2(a) of the U.S. Trademark Act, 15 U.S.C. § 1052(a), because it falsely suggests a connection or affiliation with Opposer.

35. Opposer will be damaged by the registration of Applicant's Mark on the grounds that Applicant's use and registration of Applicant's Mark will falsely suggest a connection

between Applicant and Opposer to the damage of Opposer and injury to the public, in violation of Section 2(a) of the U.S. Trademark Act, 15 U.S.C. § 1052(a).

THIRD CLAIM FOR RELIEF DILUTION

36. Opposer incorporates by reference Paragraphs 1 through 35, as if fully set forth herein.

37. Opposer's ELLE mark is inherently distinctive and has been used in commerce since 1985 in connection with *ELLE* magazine, 1996 in connection with the website www.elle.com and 2010 in connection with applications for Apple and Android tablets, long before any date on which Applicant may rely. As used as the title of the magazine *ELLE* and in connection with the website www.elle.com and the ELLE application for Apple and Android tablets, the ELLE mark is well-known in the beauty, fashion, arts and entertainment fields. The ELLE mark is also well-known via its use on labels that are attached to all ELLE goods all over the world, its branded social networking sites, and its use in electronic applications and goods, including television and video broadcasts shown on the www.elle.com website, fitness DVDs, appliances and online publications. The ELLE mark is the subject of numerous federal trademark registrations, a number of which are incontestable. In view of the strength and notoriety of the ELLE mark, the duration and extent of Opposer's nationwide use and advertising of the ELLE mark, and the degree of recognition of the ELLE mark, the mark ELLE is famous within the meaning of Section 43(c) of the U.S. Trademark Act, 15 U.S.C. § 1125(c).

38. Applicant's Mark was adopted and the application at issue was filed long after Opposer's ELLE mark became famous.

39. Upon information and belief, Applicant applied to register Applicant's Mark with full knowledge of the prior use and fame of Opposer's Marks.

40. By virtue of the similarity between Applicant's Mark and the ELLE mark, the fame of the ELLE mark, and the exclusive association between the ELLE mark and Opposer, Applicant's Mark is likely to cause, and will cause, dilution of the distinctive value of Opposer's Marks under Section 43(c) of the U.S. Trademark Act, 15 U.S.C. § 1125(c).

41. Opposer will be damaged by the registration of Applicant's Mark because it will cause dilution of the distinctive quality of Opposer's Marks. Therefore, registration of Applicant's Mark should be refused under 15 U.S.C. §§ 1125(c) and 1063(a).

WHEREFORE, Opposer respectfully requests that this Opposition be sustained, and that the registration of U.S. Trademark Application Serial No. 86/281,041 be refused.

Dated: June 3, 2015

Respectfully submitted.

McCARTER & ENGLISH, LLP

By: /Gary H. Fechter/

Gary H. Fechter

Lori J. Shyavitz

Alice M. Pang

Attorneys for Opposer

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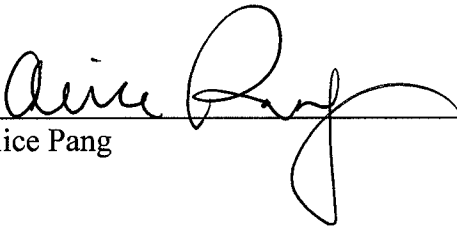
Fax: (212) 609-6921

CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing NOTICE OF OPPOSITION has been served by First Class Mail on Applicant's Attorney of Record at the following address:

Peter J. Pfothenhauer
Pfothenhauer Law Office, S.C.
265 High St
Mineral Point, Wisconsin 53565-1209

Dated: June 3, 2015



Alice Pang

EXHIBIT A

United States Patent Office

758,137
Registered Oct. 8, 1963

PRINCIPAL REGISTER Trademark

Ser. No. 157,211, filed Nov. 14, 1962

ELLE

France Editions & Publications (French limited-liability
company)
100 Rue Reaumur
Paris 2*, France

For: MAGAZINE, in CLASS 38.
First use Nov. 1, 1945; in commerce 1945.
An English translation of the French word "Elle" is
"she."

Int. Cl.: 35

Prior U.S. Cl.: 101

United States Patent and Trademark Office
Renewal

Reg. No. 861,159

Registered Nov. 25, 1968

OG Date Mar. 14, 1989

**SERVICE MARK
PRINCIPAL REGISTER**

ELLE

FRANCE EDITIONS & PUBLICATIONS
(FRANCE) CORPORATION
2, RUE ANCELLE
92200 NEUILLY-SUR-SEINE, FRANCE

PRIORITY CLAIMED UNDER SEC.
44(D) ON FRANCE, FILED 4-3-1965,
REG. NO. 139700 DATED 8-2-1965,
OWNER OF U.S. REG. NO. 751,137.
THE WORD "ELLE" MEANS "SHE"
IN ENGLISH.

FOR: PROMOTING THE SALE OF
WOMEN'S APPAREL BY OTHERS BY
STAGING-STYLE SHOWS AND BY THE
PREPARATION OF VARIOUS TYPES
OF ADVERTISING, IN CLASS 101 (INT.
CL. 35).

FIRST USE 3-20-1951; IN COMMERCE
10-15-1955.

SER. NO. 137,756, FILED 2-1-1966.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Mar. 14, 1989.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cl.: 42

Prior U.S. Cls.: 100 and 104

Reg. No. 1,429,609

United States Patent and Trademark Office Registered Feb. 17, 1987

**SERVICE MARK
PRINCIPAL REGISTER**

E L L E

FRANCE EDITIONS ET PUBLICATIONS
(FRANCE JOINT STOCK COMPANY)
6 RUE ANCELLE
NEUILLY-SUR-SEINE, HAUTS-DE-SEINE,
FRANCE

FOR: NEWS AGENCY SERVICES- NAMELY,
GATHERING AND DISSEMINATING NEWS
BY ELECTRONIC TRANSMISSION, IN CLASS
42 (U.S. CLS. 100 AND 104).

OWNER OF FRANCE REG. NO. 926992,
DATED 6-20-1975, RENEWED AS REG. NO.
745834, DATED 6-3-1985, EXPIRES 6-20-1995.
THE ENGLISH TRANSLATION OF THE
FRENCH WORD "ELLE" IN THE MARK IS
"SHE".

SER. NO. 366,750, FILED 11-4-1985.

EDWARD NELSON, EXAMINING ATTORNEY

Int. Cl.: 3

Prior U.S. Cls.: 51 and 52

United States Patent and Trademark Office

Reg. No. 1,454,808

Registered Sep. 1, 1987

**TRADEMARK
PRINCIPAL REGISTER**

ELLE

FRANCE EDITIONS ET PUBLICATIONS
(FRANCE COMPANY)
6 RUE ANCELLE
NEUILLY-SUR-SEINE, HAUTE-DE-SEINE,
FRANCE

FOR: TOILETRIES AND COSMETICS,
NAMELY PERFUMES; COLOGNES; TOILET
WATER; ESSENTIAL OILS; HAIR; SKIN AND
BATH LOTIONS; TOILET SOAPS; BODY LO-
TIONS AND POWDERS; PERSONAL DEODOR-
ANTS; FACE POWDER AND LOTIONS; LIP-
STICK; LIP LINERS; EYE SHADOW; EYE-
BROW PENCILS; EYE LINERS; LIQUID FOU-
DATION; MASCARA; BLUSH; ROUGE; SKIN
ASTRINGENTS; CLEANSERS AND SCRUBS;
FACIAL MASKS; SKIN MOISTURIZING
LOTION; AND CREAMS; HAIR SHAMPOO;
HAIR CONDITIONING LOTION; EYE MAKE-

UP REMOVER; NAIL POLISH; NAIL HARDEN-
ER; NAIL POLISH REMOVER; CUTICLE RE-
MOVERS AND CONDITIONERS; TALCUM
POWDER; SHAVING CREAM; HAIR DEPILA-
TORIES; SUN SCREENING CREAMS; FOAMS
AND LOTIONS; HAIR STYLING MOUSSE AND
GELS; HAIR SPRAY; BATH GELS AND OILS;
BUBBLE BATHS; AND DENTRIFICESS, IN
CLASS 3 (U.S. CLS. 51 AND 52).

OWNER OF FRANCE REG. NO. 1113720,
DATED 6-28-1979, EXPIRES 6-28-1989.

OWNER OF U.S. REG. NOS. 758,137, 1,348,158
AND OTHERS.

THE ENGLISH TRANSLATION OF THE
FRENCH WORD "ELLE" IS "SHE".

SER. NO. 585,396, FILED 2-28-1986.

EDWARD NELSON, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cl.: 26

United States Patent and Trademark Office

Reg. No. 1,571,639

Registered Dec. 19, 1989

**TRADEMARK
PRINCIPAL REGISTER**

ELLE

FRANCE EDITIONS ET PUBLICATIONS
(FRANCE CORPORATION)
2, RUE ANCELLE
NEUILLY-SUR-SEINE, FRANCE

FOR: ADDING MACHINES AND CALCULATORS, IN CLASS 9 (U.S. CL. 26).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
FRANCE APPLICATION NO. 954311, FILED

9-14-1988, REG. NO. 1504810, DATED 9-14-1988,
EXPIRES 9-14-1998.

OWNER OF U.S. REG. NOS. 758,137, 1,454,393
AND OTHERS.

THE ENGLISH TRANSLATION OF THE
FRENCH WORD "ELLE" IS "SHE".

SER. NO. 73-759,067, FILED 10-19-1988.

FRANK HELLWIG, EXAMINING ATTORNEY

Int. Cls.: 35 and 42

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 2,120,688

United States Patent and Trademark Office

Registered Dec. 16, 1997

**SERVICE MARK
PRINCIPAL REGISTER**

ELLE

HACHETTE FILIPACCHI PRESSE (FRANCE
CORPORATION)
149, RUE ANATOLE FRANCE
92534 LEVALLOIS-PERRET CEDEX, FRANCE

FOR: PROMOTING THE GOODS AND SERVICES OF OTHERS THROUGH THE DISTRIBUTION OF DISCOUNT AND/OR PRIORITY USER CARDS; OFFERING TECHNICAL ASSISTANCE IN THE ESTABLISHMENT AND/OR OPERATION OF FASHION SHOWS AND BEAUTY PAGEANTS, BEAUTY SALONS AND FASHION WEAR BOUTIQUES; COPYRIGHT MANAGEMENT SERVICES; ADVERTISING SLOGAN LICENSING SERVICES; ORGANIZING TRADE SHOW EXPOSITIONS IN THE ENTERTAINMENT ARTS FIELD FEATURING MUSIC, THEATER AND CINEMATOGRAPHIC PRODUCTS; ORGANIZING TRADE SHOW EXPOSITIONS FEATURING HOME AND GARDEN DECORATING PRODUCTS, LANDSCAPING PRODUCTS AND CULINARY PRODUCTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-14-1984; IN COMMERCE 9-14-1984.

FOR: INTERIOR DESIGN SERVICES; ARCHITECTURE SERVICES; LANDSCAPE GARDENING SERVICES; CONSTRUCTION DRAFTING SERVICES; TECHNICAL RESEARCH IN THE FIELDS OF LANDSCAPING, LANDSCAPE GARDENING AND INTERIOR AND EXTERIOR DECORATING; CONSULTING SERVICES IN THE FIELDS OF LANDSCAPING AND LANDSCAPE GARDENING; PROVIDING CONSULTING TO OTHERS IN THE

FIELDS OF BEAUTY, HEALTH AND FASHION WEAR; CONSULTING IN THE FIELDS OF INTERIOR AND EXTERIOR DECORATING; CONSULTING SERVICES IN THE FIELD OF COOKING; PROVIDING TEMPORARY HOUSING ACCOMMODATIONS, PROVIDING BOARDING HOUSES AND CONVALESCENT HOMES; PROVIDING PERSONAL ESCORT SERVICES; PROVIDING BEAUTY AND HAIRDRESSING SALONS; PROVIDING MARRIAGE BUREAUS; PROVIDING COSTUME RENTALS; PROVIDING SOCIAL CLUBS; EDITING WRITTEN TEXTS FOR OTHERS; DATING SERVICES; PRINTING SERVICES; COMPUTER PROGRAMMING SERVICES; PERSONAL LETTER WRITING FOR OTHERS; SETTING UP AND COMPILING DATA BANKS; HOTEL AND RESTAURANT SERVICES; RETAIL CLOTHING BOUTIQUE STORE SERVICES; MAIL ORDER SERVICES RENDERED BY A CLOTHING BOUTIQUE; RETAIL CLOTHING BOUTIQUE STORE SERVICES OFFERED WITHIN A DEPARTMENT STORE, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 9-14-1984; IN COMMERCE 9-14-1984.

OWNER OF FRANCE REG. NO. 1,538,354, DATED 6-27-1989, EXPIRES 6-27-1999.

OWNER OF U.S. REG. NOS. 758,137, 1,419,815 AND OTHERS.

THE WORD "ELLE" MEANS "SHE" IN ENGLISH.

SER. NO. 74-540,441, FILED 4-8-1994.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,199,132

United States Patent and Trademark Office

Registered Oct. 27, 1998

TRADEMARK
PRINCIPAL REGISTER

E L L E

HACHETTE FILIPACCHI PRESSE (FRANCE
CORPORATION)
149, RUE ANATOLE FRANCE
92534 LEVALLOIS-PERRET, FRANCE

FOR: AMUSEMENT APPARATUS ADOPTED
FOR USE WITH TELEVISION RECEIVERS,
NAMBLY, AUDIO VISUAL TEACHING APPA-
RATUS, NAMBLY, FILM AND VIDEO PROJEC-
TORS FOR USE WITH OR WITHOUT SLIDES,
PRECISION BALANCES, WEIGHING APPARA-
TUS; DICTATING MACHINES, RECORD
PLAYERS, AUDIOVIDEO RECEIVERS,
AUDIO/VIDEO TAPE RECORDERS, VIDEO
RECORDERS, REMOTE CONTROL APPARA-
TUS, ELECTRONIC AND COMPUTER PERIPH-
ERAL JUKE BOXES, COMPUTERS, DATA
PROCESSORS; DATA BASES CONTAINING
STORED INFORMATION IN THE FIELD OF
MUSIC, THEATER, CINEMA, LITERATURE,
ARTS, EDUCATION, HOME DECORATION,
GARDENING, LANDSCAPING, CULINARY
ARTS, FASHION AND BEAUTY TO BE READ/
CONSULTED AND OR USED ON COMPUTER
TERMINALS AND VIDEO EQUIPMENT;
~~BLANK MAGNETIC DATA CARRIERS FOR~~
COMPUTER PROGRAMS AND VIDEO EQUIP-
MENT, FOR OPTICAL, DIGITAL OR AUDIO-
VISUAL USE, NAMELY VIDEO DISCS,
INTERACTIVE VIDEO DISCS, BLANK AND
RERERADABLE VIDEO DISC, MAGNETIC
CODED CARDS, BLANK AUDIO TAPES,
BLANK MAGNETIC COMPUTER TAPES,
BLANK VIDEO TAPES, PRERECORDED
AUDIO, COMPUTER AND VIDEO TAPES FEA-

TURING THEMES SUCH AS MUSIC, THEA-
TER, CINEMA, LITERATURE, ARTS, EDUCA-
TION, HOME DECORATION, GARDENING,
LANDSCAPING, CULINARY ARTS, FASHION
AND BEAUTY; ~~BLANK AUDIO AND BLANK~~
~~VIDEO CASSETTES~~, PRERECORDED AUDIO
AND PRERECORDED VIDEO CASSETTES
FEATURING THEMES SUCH AS MUSIC, THE-
ATER, CINEMA, LITERATURE, ARTS, EDU-
CATION, HOME DECORATION, GARDENING,
LANDSCAPING, CULINARY ARTS, FASHION
AND BEAUTY; FLOPPY DISCS FOR COMPUT-
ERS; COMPACT DISCS, AND AUDIO AND/OR
VIDEO DISCS FEATURING THEMES SUCH AS
MUSIC, THEATER, CINEMA, LITERATURE,
ARTS, EDUCATION, HOME DECORATION,
GARDENING, LANDSCAPING, CULINARY
ARTS, FASHION AND BEAUTY; EXPOSED
CAMERA FILM AND MOTION PICTURE FILM
FEATURING THEMES SUCH AS MUSIC, THE-
ATER, CINEMA, LITERATURE, ARTS, EDU-
CATION, HOME DECORATION, GARDENING,
LANDSCAPING, CULINARY ARTS, FASHION
AND BEAUTY; ~~COMPUTER SOFTWARE PRO-~~
~~GRAMS FOR USE IN THE FIELD OF CON-~~
~~SULTING SERVICES ON INTERIOR AND EX-~~
~~TERIOR DECORATING, ARCHITECTURE,~~
~~LANDSCAPING, GARDENING AND HORTI-~~
~~CULTURE, CUISINE, ART, FURNITURE, CRIT-~~
~~TIQUES OF RESIDENCES, BIOGRAPHICAL~~
~~SKETCHES, TRAVEL, TOURISM, PHOTOGRA-~~
~~PHY, FASHION AND SPORTING ACTIVITIES;~~
COMPUTER SOFTWARE PROGRAMS FOR
USE IN CULINARY ARTS, HOME DECORA-
TION, FASHION AND BEAUTY FOR HOUSE

~~SOLE AND DOMESTIC USE, COMPUTER SOFTWARE PROGRAMS FOR USE IN REVIEWING DEVELOPMENTS AND CURRENT EVENTS IN THE FIELD OF CINEMA, ARTS, THEATER, DANCE, PANTOMIME, MIMIC, CIRCUS, MUSICAL AND LITERARY ENTERTAINMENT; COMPUTER SOFTWARE PROGRAMS FOR USE IN THE FIELD OF DOCUMENTARIES CONCERNING SCIENCE, NATURAL SCIENCE, ANIMAL AND PLANT LIFE, THE HUMAN BODY AND ITS FUNCTIONS, HEALTH AND DIET FOR HUMANS AND ANIMALS, LEARNING A LANGUAGE~~ ~~PROG.~~

~~GRAMS, ARTS, CINEMA AND LITERATURE, CASH REGISTERS AND CALCULATING MACHINES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).~~

OWNER OF FRANCE REG. NO. 1,538,354, DATED 6-27-1989, EXPIRES 6-27-1999.

OWNER OF U.S. REG. NOS. 1,419,815, 1,767,100 AND OTHERS.

THE WORD "ELLE" MEANS "SHE" IN ENGLISH.

SER. NO. 74-411,619, FILED 7-12-1993.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cls.: 28, 38, 39, 41 and 42

Prior U.S. Cls.: 22, 23, 38, 50, 100, 101, 104, 105
and 107

Reg. No. 2,242,315

United States Patent and Trademark Office

Registered May 4, 1999

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

ELLE

HACHETTE FILIPACCHI PRESSE (FRANCE
JOINT STOCK COMPANY)
149, RUE ANATOLE FRANCE
92534 LEVALLOIS-PERRET CEDEX, FRANCE

FOR: INTERACTIVE VIDEO GAME PRO-
GRAMS; GAMES, NAMELY, BOARDGAMES,
CARD GAMES, MANIPULATIVE GAMES,
TOYS, NAMELY, WIND-UP TOYS, BATTERY
OPERATED AND NON-BATTERY OPERATED
MECHANICAL ACTION TOYS, PLUSH TOYS,
INFLATABLE BATH TOYS, BATTERY OPER-
ATED AND NON-BATTERY OPERATED
STUFFED TOYS, BATTERY OPERATED AND
NON-BATTERY OPERATED DOLLS, IN CLASS
28 (U.S. CLS. 22, 23, 38 AND 50).

FOR: COMMUNICATION SERVICES,
NAMELY, RADIO COMMUNICATION SERV-
ICES, TELEPHONE COMMUNICATIONS SERV-
ICES, TELEGRAPH SERVICES AND VIDEO
TELECONFERENCING SERVICES, TELE-
GRAPH SERVICES AND VIDEO TELECON-
FERENCING SERVICES; ELECTRONIC
TRANSMISSION OF DATA, IMAGES AND
SOUNDS AND DOCUMENTS VIA COMPUTER
TERMINALS; TELEVISION AND RADIO
BROADCASTING SERVICES; INCLUDING
CABLE TRANSMISSIONS OF SUCH SERVICES;
TELEX TRANSMISSION SERVICES; TELE-
GRAM TRANSMISSION SERVICES; ELEC-
TRONIC TRANSMISSION OF INFORMATION
FROM DATA BANKS VIA COMPUTER TERMI-
NALS; CABLE TELEVISION TRANSMISSION
SERVICES, IN CLASS 38 (U.S. CLS. 100, 101
AND 104).

FOR: HOME AND OFFICE DELIVERY OF
MULTIMEDIA AND AUDIOVISUAL PROD-
UCTS, NAMELY, VIDEODISCS, COMPACT
DISCS, INTERACTIVE DISCS, AND COMPACT
DISCS WITH READ ONLY MEMORY (CD-
ROM), IN CLASS 39 (U.S. CLS. 100 AND 105).

FOR: EDUCATIONAL SERVICES, NAMELY,
ADMINISTRATION OF CULTURAL EX-
CHANGE PROGRAMS; ENTERTAINMENT
SERVICES, NAMELY, SPONSORING SPORTS
COMPETITIONS AND TOURNAMENTS; EDU-
CATION IN THE FIELD OF MUSIC, THEATER,
CINEMA, LITERATURE, ARTS, HOME DECO-
RATION, GARDENING, LANDSCAPING, CUL-
INARY ARTS, FASHION AND BEAUTY REND-
ERED THROUGH CORRESPONDENCE
COURSES; PROVIDING CLASSES OF IN-
STRUCTION TO BEGINNERS AND AD-
VANCED PERSONS IN THE FIELD OF MUSIC,
THEATER, CINEMA, LITERATURE, ARTS,
EDUCATION, HOME DECORATION, GAR-
DENING, LANDSCAPING, CULINARY ARTS,
FASHION AND BEAUTY; CONDUCTING EDU-
CATIONAL CONFERENCES, WORKSHOPS
AND COURSES OF INSTRUCTION IN THE
FIELD OF MUSIC, THEATER, CINEMA, LIT-
ERATURE, ARTS, EDUCATION, HOME DECO-
RATION, GARDENING, LANDSCAPING, CUL-
INARY ARTS, FASHION AND BEAUTY; EDU-
CATIONAL CONFERENCES, FORUMS, CON-
GRESSES AND COLLOQUIUMS IN THE FIELD
OF MUSIC, THEATER, CINEMA, LITERA-
TURE, ARTS, EDUCATION, HOME DECO-
RATION, GARDENING, LANDSCAPING, CUL-
INARY ARTS, FASHION AND BEAUTY; PUBLI-

CATION OF BOOKS; ENTERTAINMENT IN THE NATURE OF GAMES AND CONTESTS, NAMELY, ESSAY-WRITING AND NOVEL-WRITING CONTESTS; BEAUTY PAGEANTS; INDOOR AND OUTDOOR SPORTS COMPETITIONS FEATURING, HOCKEY, SOCCER, FOOTBALL AND VOLLEYBALL; PRODUCTION OF RADIO AND TELEVISION PROGRAMS; ENTERTAINMENT SERVICES, NAMELY, PROVIDING AN ON-LINE ENTERTAINMENT VARIETY SHOW, FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; ENTERTAINMENT SERVICES IN THE NATURE OF A CABLE TELEVISION VARIETY SHOW FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; AUDIO RECORDING AND PRODUCTION SERVICES; LIBRARIES AND BOOKS LENDING SERVICES; VIDEO AND GAME LIBRARY SERVICES; VIDEO TAPE FILM PRODUCTION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FOR: LEGAL CONSULTING SERVICES; CORRESPONDENCE EXCHANGE SERVICES; LICENSING OF INTELLECTUAL PROPERTY; COMPUTER PROGRAMMING SERVICES; PROGRAMMING ELECTRONIC INSTRUMENTS FOR OTHERS; EDITING OF WRITTEN TEXTS; NEWS SYNDICATION REPORTING; LAN-

GUAGE TRANSLATION; PRINTING SERVICES; RENTAL OF COMPUTERS AND RENTAL OF DISPLAY APPARATUS FOR USE IN MULTIMEDIA PRESENTATIONS USING SLIDES, FILM, TAPE RECORDINGS AND SPECIAL LIGHTING EFFECTS; EDITING OF WRITTEN TEXTS, ILLUSTRATIONS BOOKS, BOOK REVIEWS, NEWSPAPERS, PERIODICALS, MAGAZINES AND PUBLICATIONS OF ALL TYPES REGARDLESS OF THEIR FORM, INCLUDING ELECTRONIC AND DIGITALIZED PUBLICATIONS, DESKTOP PUBLISHING OF SOUND AND/OR VISUAL MEDIA - OR MULTIMEDIA SOFTWARE PROGRAMS FOR OTHERS; COMPILING DATA BASES AND DATA BANKS FOR USE BY OTHERS; PRODUCTION AND RENTAL OF MOTION PICTURE FILM, VIDEO-CASSETTE TAPES AND MULTI-MEDIA ENTERTAINMENT SOFTWARE, IN CLASS 42 (U.S. CLS. 100 AND 101).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FRANCE APPLICATION NO. 94/543,958, FILED 11-9-1994, REG. NO. 94543958, DATED 11-9-1994, EXPIRES 11-9-2004.

OWNER OF U.S. REG. NOS. 758,137, 1,419,815 AND OTHERS.

THE WORD "ELLE" MEANS "SHE" IN ENGLISH.

SER. NO. 74-671,728, FILED 5-9-1995.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cls.: 3 and 21

Prior U.S. Cls.: 1, 4, 6, 13, 29, 40, 50, 51 and 52

Reg. No. 2,914,032

United States Patent and Trademark Office

Registered Dec. 28, 2004

**TRADEMARK
PRINCIPAL REGISTER**

ELLE

HACHETTE FILIPACCHI PRESS (FRANCE CORPORATION)
149, RUE ANATOLE FRANCE
LEVALLOIS-PERRET CEDEX, FRANCE 92534

FOR: BEAUTY AND COSMETIC PRODUCTS, NAMELY, SUN-TANNING PREPARATIONS (COSMETICS), COSMETIC AND EYEBROW PENCILS, COSMETICS CREAMS, MAKE-UP REMOVING PREPARATIONS, DENTIFRICE, DEPIATORIES AND DEPIATORY PREPARATIONS, CLEANSING MILK FOR TOILET PURPOSES, MAKE-UP, MAKE-UP POWDER, MAKE-UP PREPARATIONS, BEAUTY MASKS, NAIL CARE PREPARATIONS, NAIL VARNISH, FALSE-NAILS, COSMETIC PREPARATIONS FOR SKIN CARE, COSMETIC PREPARATIONS FOR SLIMMING PURPOSES IN THE FORM OF OIL, LOTION, CREAM AND GEL, OILS FOR COSMETIC PURPOSES, POMADES FOR COSMETIC PURPOSES, DEODORANTS FOR PERSONAL USE, COTTON STICKS AND COTTON WOOL FOR COSMETIC PURPOSES, COSMETIC KITS, NAMELY, A SMALL BAG, BOX OR CASE CONTAINING LIPSTICK, BLUSH, MASCARA, COSMETIC PENCILS AND EYESHADOW, COSMETIC PREPARATIONS

FOR BATHS, COSMETIC PREPARATIONS FOR EYELASHES, EYEBROW COSMETICS, DECORATIVE TRANSFERS FOR COSMETICS PURPOSES, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: HAIR BRUSHES, NAIL BRUSHES, EYEBROW BRUSHES, HAIR COMBS, COSMETIC WIPES, POWDER PUFFS AND PERFUME SPRAYERS SOLD EMPTY, IN CLASS 21 (U.S. CLS. 13, 29 AND 40).

OWNER OF FRANCE REG. NO. 1500024, DATED 1-20-1989, RENEWED AS REG. NO. 1500024, DATED 1-20-1999, EXPIRES 1-20-2009.

OWNER OF U.S. REG. NOS. 1,374,805, 1,408,531 AND OTHERS.

THE ENGLISH TRANSLATION OF THE WORD "ELLE" IS "SHE".

SER. NO. 74-092,685, FILED 8-30-1990.

ANGELA M. MICHELI, EXAMINING ATTORNEY

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,492,949

Registered Aug. 26, 2008

TRADEMARK
PRINCIPAL REGISTER

ELLE

HACHETTE FILIPACCHI PRESSE, SOCIÉTÉ
ANONYME (FRANCE SOCIÉTÉ ANONYME)
149, RUE ANATOLE FRANCE
F-92534 LEVALLOIS-PERRET CEDEX
FRANCE

OWNER OF INTERNATIONAL REGISTRATION
0546813 DATED 7-10-1989, EXPIRES 7-10-2009.

FOR: BEAUTY PRODUCTS, NAMELY, ESSEN-
TIAL OILS, MAKE-UP, LIPSTICK, EYE SHADOW,
MASCARA, ROUGE, BLUSH, NAIL POLISH, COS-
METIC CREAMS, CLEANSING MILKS AND COS-
METICS, PERFUMERY, DEODORANT FOR
PERSONAL USE, SUNTAN CREAMS, EAU DE
COLOGNE AND EAU DE TOILETTE, TOILET
SOAPS, BATH, SHAVING, SKIN AND TOILETRY
BODY LOTIONS, BATH AND NON-MEDICATED
TOILETRY SALTS, OILS, BODY GELS, SHAMPOOS,
IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

OWNER OF U.S. REG. NOS. 1,454,808 AND
2,914,032.

THE FOREIGN WORDING IN THE MARK
TRANSLATES INTO ENGLISH AS SHE.

SER. NO. 79-044,656, FILED 11-24-2006.

SOPHIA S. KIM, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

ELLE

Reg. No. 3,727,498 HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
Registered Dec. 22, 2009 149-151 RUE ANATOLE FRANCE
LEVALLOIS-PERRET CEDEX, FRANCE 92534

Int. Cl.: 35 FOR: ADVERTISING SERVICES, IN PARTICULAR BY MEANS OF ADVERTORIALS, FOR OTHERS, BY MEANS OF CO-BRANDING OPERATIONS, BY MEANS OF THE SALE AND/OR RENTAL OF DISPLAY STANDS, PLACARDS AND PRINTED AND/OR ELECTRONIC PROMOTIONAL MEDIA, FOR THE PROMOTION OF MISCELLANEOUS GOODS AND SERVICES, IN PARTICULAR IN THE FIELDS OF FASHION, FASHION ARTICLES AND FASHION ACCESSORIES, STYLING, FASHION SHOWS, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, HYGIENE PREPARATIONS, BEAUTY CARE, BODY CARE AND BODY MASSAGE, RELAXATION AND THALASSOTHERAPY, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, SERVICES FOR PROVIDING FOOD AND DRINK, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, INTERIOR AND EXTERIOR DECOR, LANDSCAPING, SHOWS AND EXHIBITIONS RELATING THERETO, TOURISM, TRAVEL ARRANGEMENT AND ORGANIZING HOLIDAYS, ENTERTAINMENT AND CULTURE, ORGANIZATION OF EVENTS IN THE FIELD OF CINEMA, THEATRE, MUSIC, FORUMS AND MEETINGS, MUSIC COMPILATIONS AND MOOD MUSIC COMPILATIONS, DIGITAL IMAGES AND SOUNDS, GAMES, TOYS, AUTOMOBILES AND SPORT, SPORTS ACTIVITIES AND COMPETITIONS, OF NEW TECHNOLOGIES, GOODS RELATED TO COMPUTERS, TELEPHONY, ROBOTICS, HOME AUTOMATION, FINANCE, MUTUAL ASSISTANCE SERVICES; PUBLICATION OF ADVERTISING TEXTS; ADVERTISING MAILING; ONLINE ADVERTISING ON A COMPUTER NETWORK; COMPILATION OF DATA AND INFORMATION INTO DATABASES; COMMERCIAL INFORMATION AND CONSULTING SERVICES IN RELATION TO SALE AND PROMOTING OF VARIOUS GOODS AND SERVICES IN PARTICULAR IN THE FIELDS OF FASHION, FASHION ARTICLES AND FASHION ACCESSORIES, STYLING, FASHION SHOWS, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, HYGIENE PREPARATIONS, BEAUTY CARE, BODY CARE AND BODY MASSAGE, RELAXATION AND THALASSOTHERAPY, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, SERVICES FOR PROVIDING FOOD AND DRINK, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, INTERIOR AND EXTERIOR DECOR, LANDSCAPING, SHOWS AND EXHIBITIONS RELATING THERETO, TOURISM, TRAVEL ARRANGEMENT AND ORGANIZING HOLIDAYS, ENTERTAINMENT AND CULTURE, ORGANIZATION OF EVENTS IN THE FIELD OF CINEMA, THEATRE, MUSIC, FORUMS AND MEETINGS, MUSIC COMPILATIONS AND MOOD MUSIC COMPILATIONS, DIGITAL IMAGES AND SOUNDS, GAMES, TOYS, AUTOMOBILES AND SPORT, SPORTS ACTIVITIES AND COMPETITIONS, OF NEW TECHNOLOGIES, GOODS RELATED TO COMPUTERS, TELEPHONY, ROBOTICS, HOME AUTOMATION, FINANCE, MUTUAL ASSISTANCE SERVICES; SERVICES PROVIDED BY

SERVICE MARK
PRINCIPAL REGISTER



David J. Kypas

Director of the United States Patent and Trademark Office

Reg. No. 3,727,498 A FRANCHISER, NAMELY, ASSISTANCE IN THE OPERATION OR MANAGEMENT OF COMMERCIAL COMPANIES; ARRANGING OF SUBSCRIPTIONS FOR THE PUBLICATION OF OTHERS IN PARTICULAR NEWSPAPERS, MAGAZINES AND ELECTRONIC PUBLICATIONS ACCESSIBLE VIA AND ON THE INTERNET; DATA ENTRY AND PROCESSING SERVICES, NAMELY, DATA ENTRY, DATA SYSTEMATIZATION, COMPUTERIZED FILE MANAGEMENT; SERVICES RELATING TO SALES PROMOTION ACTIVITY IN ALL FORMS AND, ESPECIALLY REFERRAL SERVICES, SPONSORSHIP, CO-BRANDING OPERATIONS AND CAMPAIGNS OF PROMOTIONAL INFORMATION CONCERNING VARIOUS GOODS AND SERVICES, IN PARTICULAR IN THE FIELDS OF FASHION, FASHION ARTICLES AND FASHION ACCESSORIES, STYLING, FASHION SHOWS, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, HYGIENE PREPARATIONS, BEAUTY CARE, BODY CARE AND BODY MASSAGE, RELAXATION AND THALASSOTHERAPY, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, SERVICES FOR PROVIDING FOOD AND DRINK, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, INTERIOR AND EXTERIOR DECOR, LANDSCAPING, SHOWS AND EXHIBITIONS RELATING THERETO, TOURISM, TRAVEL ARRANGEMENT AND ORGANIZING HOLIDAYS, ENTERTAINMENT AND CULTURE, ORGANIZATION OF EVENTS IN THE FIELD OF CINEMA, THEATRE, MUSIC, FORUMS AND MEETINGS, MUSIC COMPILATIONS AND MOOD MUSIC COMPILATIONS, DIGITAL IMAGES AND SOUNDS, GAMES, TOYS, AUTOMOBILES AND SPORT, SPORTS ACTIVITIES AND COMPETITIONS, OF NEW TECHNOLOGIES, GOODS RELATED TO COMPUTERS, TELEPHONY, ROBOTICS, HOME AUTOMATION, FINANCE, MUTUAL ASSISTANCE SERVICES; PRESENTATION OF GOODS ON ANY COMMUNICATION MEANS FOR RETAIL SALES; COMMERCIAL INFORMATION AND ADVICE FOR CONSUMERS; ORGANIZATION OF EXHIBITIONS FOR COMMERCIAL OR ADVERTISING PURPOSES; MAIL ORDER CATALOG SERVICES, RETAIL STORE SERVICES AND ONLINE RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF GOODS AND SERVICES ESPECIALLY IN THE FIELDS OF FASHION, CLOTHING, FASHION ARTICLES AND FASHION ACCESSORIES, LEATHER GOODS AND LUGGAGE, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, ESSENTIAL OILS, HYGIENE PREPARATIONS, TOILET ARTICLES, INFANT CARE, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, ELECTRONIC AND ELECTRIC HOUSEHOLD APPLIANCES, COMPUTER AND ELECTRONIC GOODS, TV SETS, HI-FI SETS, VIDEO SETS, TELEPHONY, ROBOTICS, HOME AUTOMATION, SPORT ARTICLES, GAMES AND TOYS, PRINTED MATTER; MAIL ORDER SERVICES, RETAIL STORE SERVICES AND ON-LINE RETAIL STORE SERVICES FEATURING VARIOUS GOODS AND SERVICES ESPECIALLY IN THE FIELDS OF FASHION, CLOTHING, FASHION ARTICLES AND FASHION ACCESSORIES, LEATHER GOODS AND LUGGAGE, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, ESSENTIAL OILS, HYGIENE PREPARATIONS, TOILET ARTICLES, INFANT CARE, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, ELECTRONIC AND ELECTRIC HOUSEHOLD APPLIANCES, COMPUTER AND ELECTRONIC GOODS, TV SETS, HI-FI SETS, VIDEO SETS, TELEPHONY, ROBOTICS, HOME AUTOMATION, SPORT ARTICLES, GAMES AND TOYS AND PRINTED MATTER, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF ERPN CMNTY TM OFC REG. NO. 3.475.365, DATED 10-30-2003, EXPIRES 10-30-2013.

OWNER OF U.S. REG. NOS. 758,137, 2,120,688 AND OTHERS.

Reg. No. 3,727,498 THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS SHE.

SER. NO. 77-642,165, FILED 12-31-2008.

DAVID HOFFMAN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

ELLE

Reg. No. 3,745,516 HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
Registered Feb. 2, 2010 149 RUE ANATOLE FRANCE
LEVALLOIS-PERRET, FRANCE 92300

Int. Cls.: 9, 25, and 26 FOR: DOWNLOADABLE ELECTRONIC PUBLICATIONS IN THE NATURE OF MAGAZINES
AND NEWSLETTERS IN THE FIELD OF BEAUTY, FASHION, COOKING, MUSIC,
THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION,
TRADEMARK GARDENING, LANDSCAPING; DOWNLOADABLE RING TONES, LOGOS, PHOTOS,
PRINCIPAL REGISTER FASHION AND BEAUTY VIDEOS, GAMES AND HOROSCOPES VIA A GLOBAL COMPUTER
NETWORK AND WIRELESS DEVICES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-15-2005; IN COMMERCE 6-1-2006.

FOR: SLEEPWEAR, NAMELY, SHORT AND LONG GOWNS, PAJAMAS, SLEEPSHIRTS,
ROBES, TOPS, SHORTS; HEADBAND, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-31-2005; IN COMMERCE 8-31-2005.

FOR: ALL KINDS OF HAIR ACCESSORIES, NAMELY, BARRETTES, BOWS, ELASTIC
RIBBONS, HAIR CLIPS, HAIR BANDS, PONYTAIL HOLDERS, HAIR PINS, NON-ELECTRIC
HAIR ROLLERS, TWISTERS, HAIR ORNAMENTS, IN CLASS 26 (U.S. CLS. 37, 39, 40, 42
AND 50).

FIRST USE 5-31-2004; IN COMMERCE 5-31-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 862,001, 2,708,222, AND OTHERS.

THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS SHE.

SN 78-981,251, FILED 12-20-2005.

DANIEL BRODY, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

ELLE

Reg. No. 3,943,368

Registered Apr. 12, 2011

Int. Cl.: 44

SERVICE MARK

PRINCIPAL REGISTER

HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
149-151 RUE ANATOLE FRANCE
LEVALLOIS-PERRET, FRANCE 92534

FOR: BEAUTY SPA SERVICES, NAMELY, COSMETIC BODY CARE; HEALTH SPA SERVICES FOR HEALTH AND WELLNESS OF THE BODY AND SPIRIT, NAMELY, PROVIDING MASSAGE, FACIAL AND BODY TREATMENT SERVICES, WAXING, NAIL CARE, MANICURES, PEDICURES AND HAIRDRESSING SERVICES, IN CLASS 44 (U.S. CLS. 100 AND 101).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF FRANCE REG. NO. 3363763, DATED 6-8-2005, EXPIRES 6-8-2015.

OWNER OF U.S. REG. NOS. 758,137, 1,732,988, AND 2,120,688.

THE ENGLISH TRANSLATION OF "ELLE" IN THE MARK IS "SHE".

SER. NO. 85-050,513, FILED 5-28-2010.

JAMES GRIFFIN, EXAMINING ATTORNEY



David J. Kypas

Director of the United States Patent and Trademark Office

United States of America
United States Patent and Trademark Office

ELLE

Reg. No. 4,284,558

Registered Feb. 5, 2013

Int. Cls.: 9, 38, 41, 42, 44
and 45

HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
149, RUE ANATOLE, 92534 LEVALLOIS-PERRET
CEDEX, FRANCE

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FOR: (BASED ON 44(E)) VIDEO RECORDINGS FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, AS WELL AS HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: (BASED ON USE IN COMMERCE) TRANSMISSION AND BROADCAST OF IMAGES, SOUNDS, DATA, INFORMATION BY COMPUTER TERMINALS; PROVIDING USER ACCESS TO A GLOBAL COMPUTER NETWORK; INTERACTIVE COMMUNICATION SERVICES, NAMELY, INTERACTIVE DELIVERY OF VIDEO OVER DIGITAL NETWORKS, TRANSMISSION OF SOUND AND VISION VIA SATELLITE OR INTERACTIVE MULTIMEDIA NETWORKS; INFORMATION TRANSMISSION SERVICES VIA DIGITAL NETWORKS DESIGNED FOR PUBLIC INFORMATION; COMMUNICATIONS ON COMPUTER NETWORKS IN GENERAL; TRANSMISSION OF INFORMATION BY ELECTRONIC MEANS; PROVIDING DISCUSSION FORUMS ON THE INTERNET; VIRTUAL CHAT ROOMS ESTABLISHED VIA TEXT MESSAGING; INSTANT MESSAGING SERVICES; WIRELESS ELECTRONIC TRANSMISSION OF VOICE SIGNALS, DATA, FACSIMILES, IMAGES AND INFORMATION (BASED ON 44(E)) TELEVISION AND RADIO BROADCASTING SERVICES, INCLUDING CABLE TRANSMISSIONS OF SUCH SERVICES; COMMUNICATION SERVICES, NAMELY, CABLE TELEVISION TRANSMISSION SERVICES; TRANSMISSION AND BROADCAST OF IMAGES, SOUNDS, DATA, INFORMATION BY CABLE, BY DATA COMMUNICATIONS CHANNEL, NAMELY, CABLE, SATELLITE AND FIBER OPTICS AND VIA TELECOMMUNICATION NETWORKS, WIRELESS COMMUNICATION NETWORKS AND THE INTERNET; BROADCASTING OF RADIO AND TELEVISION PROGRAMS; PROVIDING ONLINE FORUMS FOR TRANSMISSION OF MESSAGES IN THE FIELDS OF LITERATURE, EDUCATION, HOME DECORATION, PUBLICATION OF BOOKS, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).



FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

Lisa M. Smith
Acting Director of the United States Patent and Trademark Office

FOR: (BASED ON USE IN COMMERCE) ONLINE PUBLICATION OF BOOKS, PERIODICALS, NEWSPAPER, MAGAZINES, ILLUSTRATIONS; PROVIDING AN ONLINE MAGAZINE FEATURING INFORMATION IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING; ENTERTAINMENT SERVICES, NAMELY,

Reg. No. 4,284,558 PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELDS OF ENTERTAINMENT, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, AND EDUCATION; PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELDS OF MUSIC, AND COMMENTARY AND ARTICLES OF GENERAL INTEREST ISSUES IN THE FIELDS OF ENTERTAINMENT AND GAMES; (BASED ON 44(E)) ENTERTAINMENT IN THE NATURE OF BEAUTY PAGEANTS; PRODUCTION OF TELEVISION PROGRAMS; ENTERTAINMENT SERVICES IN THE NATURE OF A CABLE TELEVISION VARIETY SHOW FEATURING FASHION AND BEAUTY; VIDEO TAPE FILM PRODUCTION; SERVICES FOR THE PUBLIC ENTERTAINMENT, NAMELY, ORGANIZATION OF SHOWS FOR CULTURAL PURPOSES; ORGANIZATION OF CONFERENCES, FORUMS, CONGRESSES, COLLOQUIUMS IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, MEDIA FOR NON BUSINESS PURPOSES; PRODUCTION AND EDITING OF MOVIE, RADIO AND TELEVISION PROGRAMS, INCLUDING COMPUTER EDITING OF TEXTS AND STILL OR ANIMATED IMAGES AND MUSICAL OR NON-MUSICAL SOUND, FOR INTERACTIVE USE OR NOT; ORGANIZATION OF SPORTS COMPETITIONS AND ARRANGING AND CONDUCTING COMPETITIONS IN THE FIELDS OF FITNESS AND EXERCISE, FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, CHILD AND ADOLESCENT EDUCATIONAL ISSUES, HOME DECORATION, GARDENING, LANDSCAPING, AND MEDIA; ORGANIZATION OF GAMES AND LOTTERIES; PRODUCTION AND EDITING OF RADIO INFORMATION AND ENTERTAINMENT PROGRAMS, ENTERTAINMENT SERVICES, NAMELY, PROVIDING ON-LINE COMPUTER GAMES; PROVIDING A WEB SITE FEATURING NON DOWNLOADABLE MUSICAL PERFORMANCES, MUSICAL VIDEOS, VIDEO RECORDINGS AND RELATED FILM CLIPS; ASSISTING OTHERS WITH ONLINE ELECTRONIC PUBLISHING; PROVIDING OF INFORMATION VIA THE INTERNET IN THE FIELDS OF LITERATURE AND EDUCATION; PUBLICATION OF BOOKS; PUBLISHING OF ILLUSTRATIONS, BOOKS, NEWSPAPERS, AND VIDEO-CASSETTE TAPES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

FOR: (BASED ON USE IN COMMERCE) COMPUTER SERVICES, NAMELY, INTERACTIVE HOSTING SERVICES WHICH ALLOW THE USER TO PUBLISH AND SHARE THEIR OWN CONTENT AND IMAGES ONLINE; PROVIDING SEARCH ENGINES ON THE INTERNET; HOSTING A WEBSITE ALLOWING USERS TO DOWNLOAD TEXTS, PRESS ARTICLES, PHOTOGRAPHS, TELEGRAMS, PICTURES, LOGOS, MESSAGES, DATA, SOUNDS, RINGTONES, MUSIC, GAMES, VIDEO, AND INFORMATION; PROVIDING CUSTOMER-GENERATED CONTENT IN THE NATURE OF CUSTOMIZED WEB PAGES AND OTHER DATA FEED FORMATS FEATURING USER-DEFINED INFORMATION; HOSTING DIGITAL CONTENT OF OTHERS AUTOMATICALLY SELECTED AND CUSTOMIZED BASED ON THE KNOWN OR ESTIMATED GEOGRAPHICAL LOCATION OF AN INTERNET, MOBILE TELEPHONE OR OTHER WIRED OR WIRELESS DIGITAL NETWORK BASED CUSTOMER; (BASED ON 44(E)) PROVIDING A WEBSITE ALLOWING USERS TO UPLOAD AND DOWNLOAD ELECTRONIC FILES; COMPUTER PROGRAMMING SERVICES; CREATING AND DESIGNING WEB PAGES FOR OTHERS; PROVIDING SEARCH PLATFORMS TO ALLOW USERS TO REQUEST CONTENT FROM AND RECEIVE CONTENT TO A MOBILE DEVICE; DESIGN, DEVELOPMENT AND HOSTING OF DATA BANKS, DATABASES AND WEBSITES FOR OTHERS; PROVIDING OF INFORMATION VIA THE INTERNET IN THE FIELD OF HOME DECORATION; PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF HOME DECORATION, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-31-2002; IN COMMERCE 1-31-2002.

FOR: (BASED ON USE IN COMMERCE) PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELD OF BEAUTY; PROVIDING AN ONLINE SERVICE FEATURING

Reg. No. 4,284,558 PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF BEAUTY,
IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

FOR: (BASED ON USE IN COMMERCE) PROVIDING A WEB SITE FEATURING INFORMATION AND CONTENT IN THE FIELDS OF PERSONAL RELATIONSHIPS, DATING AND FASHION; PROVIDING HOROSCOPE INFORMATION VIA COMPUTER NETWORKS; PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF FASHION, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF FRANCE REG. NO. 053363763, DATED 6-8-2005, EXPIRES 6-8-2015.

OWNER OF FRANCE REG. NO. 94543958, DATED 11-9-1994, EXPIRES 11-9-2014.

SER. NO. 85-061,017, FILED 6-11-2010.

JAMES GRIFFIN, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

ELLE

Reg. No. 4,314,947

Registered Apr. 2, 2013

Int. Cls.: 3, 8, and 21

TRADEMARK

PRINCIPAL REGISTER

HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
149-151 RUE ANATOLE FRANCE
LEVALLOIS-PERRET, FRANCE 92534

FOR: BEAUTY AND COSMETIC PRODUCTS, NAMELY, MAKE-UP, MAKE-UP POWDERS, MAKE-UP PREPARATIONS, NAIL VARNISHES, POMADES FOR COSMETIC PURPOSES, COSMETIC PREPARATIONS FOR EYELASHES, NAIL EMERY BOARDS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 4-30-2012; IN COMMERCE 4-30-2012.

FOR: TWEEZERS, EYELASH CURLERS, NAIL FILES AND CLIPPERS; NAIL SCISSORS, CUTICLE TRIMMER, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 4-30-2012; IN COMMERCE 4-30-2012.

FOR: EYEBROW BRUSHES, HAIR COMBS, PERFUME SPRAYERS SOLD EMPTY, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 4-30-2012; IN COMMERCE 4-30-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 758,137, 3,745,516, AND OTHERS.

THE ENGLISH TRANSLATION OF "ELLE" IN THE MARK IS "SHE".

SN 85-978,681, FILED 6-17-2011.

JUDITH HELFMAN, EXAMINING ATTORNEY



Lena Stanton Kew
Acting Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

ELLE

Reg. No. 4,332,238

Registered May 7, 2013

**Int. Cls.: 4, 18, 20, 21,
and 25**

TRADEMARK

PRINCIPAL REGISTER

HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
149-151 RUE ANATOLE FRANCE
LEVALLOIS-PERRET
CEDEX, FRANCE 92534

FOR: CANDLES, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 5-30-2012; IN COMMERCE 5-30-2012.

FOR: MINI HANDBAGS, SATCHELS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 5-30-2012; IN COMMERCE 5-30-2012.

FOR: FURNITURE, PICTURE FRAMES; DECORATING ACCESSORIES, NAMELY, FIGURINES MADE OF PLASTIC, WOOD, GLASS OR CERAMIC; DECORATIVE PILLOWS, DECORATIVE BOXES MADE OF PLASTIC, SIDE TABLES, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 9-11-2010; IN COMMERCE 9-11-2010.

FOR: DISHES, PLATES, TRAYS FOR DOMESTIC PURPOSES, PERFUME VAPORIZERS SOLD EMPTY, BUCKETS, PAILS, SOUP PLATES, BOWLS, DECORATIVE BOXES MADE OF GLASS; DECORATIVE ITEMS, NAMELY, DECORATIVE FIGURINES MADE IN CERAMIC, DECORATIVE TRAYS; VASES, SERVING TRAYS, CANDLE HOLDERS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 9-11-2010; IN COMMERCE 9-11-2010.

FOR: TUNICS, SHORTS; LADIES APPAREL, NAMELY, TOPS, TURTLENECKS, CARDIGANS, TUNICS, TRENCH COATS, JEANS, CAPRIS, BELTS; SWIMWEAR; LEGGINGS, BERMUDA SHORTS, JOGGING SUITS, PARKAS, MITTENS, TIGHTS, STOCKINGS; ARTICLES FOR NEW BORN BABIES, NAMELY, BODY SUITS, TEE-SHIRTS, SWEATERS, PANTS, SLEEPERS, DRESSES, LEGGINGS, CARDIGANS, BLOUSES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-30-2008; IN COMMERCE 9-30-2008.



Lisa Street
Acting Director of the United States Patent and Trademark Office

Reg. No. 4,332,238 THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 862,001, 2,708,222, AND OTHERS.

THE ENGLISH TRANSLATION OF "ELLE" IN THE MARK IS "SHE".

SN 77-983,507, FILED 12-10-2009.

MARY I. SPARROW, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

United States Patent and Trademark Office

Reg. No. 3,254,776

Registered June 26, 2007

TRADEMARK
PRINCIPAL REGISTER

ELLE ACCESSORIES

HACHETTE FILIPACCHI PRESSE (FRANCE
CORPORATION)

149 RUE ANATOLE FRANCE

LEVALLOIS-PERRET, FRANCE 92300

FOR: MAGAZINES IN THE FIELD OF BEAUTY
AND FASHION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29,
37, 38 AND 50).

FIRST USE 8-30-2005; IN COMMERCE 8-30-2005.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 758,137, 2,737,728 AND
OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "ACCESSORIES", APART FROM
THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF THE WORD
"ELLE" IN THE MARK IS "SHE".

SER. NO. 78-594,067, FILED 3-24-2005.

CHRISTOPHER BUONGIORNO, EXAMINING AT-
TORNEY

United States of America

United States Patent and Trademark Office

ELLE
girl

Reg. No. 3,730,569 HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
Registered Dec. 29, 2009 149-151 RUE ANATOLE FRANCE
LEVALLOIS-PERRET CEDEX, FRANCE 92534

Int. Cls.: 9, 38, 41, 42, 44 and 45 FOR: DOWNLOADABLE ELECTRONIC NEWSLETTERS IN THE FIELD OF GENERAL INTEREST ISSUES FOR GIRLS AND YOUNG WOMEN, IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, GAMES; VIDEO RECORDINGS FEATURING MUSIC, GENERAL INTEREST ISSUES FOR GIRLS AND YOUNG WOMEN, IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, GAMES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER** FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

FOR: VIRTUAL CHAT ROOMS ESTABLISHED VIA TEXT MESSAGING; INSTANT MESSAGING SERVICES; WIRELESS ELECTRONIC TRANSMISSION OF VOICE SIGNALS, DATA, FACSIMILES, IMAGES AND INFORMATION, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

FOR: PROVIDING ON-LINE PUBLICATIONS IN THE NATURE OF AN ONLINE MAGAZINE, DEALING WITH GENERAL INTEREST ISSUES FOR GIRLS AND YOUNG WOMEN; ONLINE MAGAZINE FEATURING INFORMATION IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT; ENTERTAINMENT SERVICES, NAMELY, PROVIDING ON-LINE COMPUTER GAMES; ENTERTAINMENT SERVICES, NAMELY, PROVIDING A WEB SITE FEATURING MUSICAL PERFORMANCES, MUSICAL VIDEOS, VIDEO RECORDINGS, RELATED FILM CLIPS, PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS; PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELD OF MUSIC, AND COMMENTARY AND ARTICLES OF GENERAL INTEREST ISSUES FOR GIRLS AND YOUNG WOMEN, IN THE FIELDS OF ENTERTAINMENT AND GAMES; ALL ON-LINE VIA A GLOBAL COMPUTER NETWORK, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.



David S. Kappas

Director of the United States Patent and Trademark Office

FOR: COMPUTER SERVICES, NAMELY, PROVIDING SEARCH PLATFORMS TO ALLOW USERS TO REQUEST CONTENT FROM AND RECEIVE CONTENT TO A MOBILE DEVICE; COMPUTER SERVICES, NAMELY, INTERACTIVE HOSTING SERVICES WHICH ALLOW THE USER TO PUBLISH AND SHARE THEIR OWN CONTENT AND IMAGES ONLINE;

Reg. No. 3,730,569 PROVIDING CUSTOMER-DEFINED GENERATED CONTENT AND CONTENT OF OTHERS AUTOMATICALLY SELECTED AND CUSTOMIZED BASED ON THE KNOWN OR ESTIMATED GEOGRAPHICAL LOCATION OF AN INTERNET, MOBILE TELEPHONE OR OTHER WIRED OR WIRELESS DIGITAL NETWORK BASED CUSTOMER, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

FOR: PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELD OF BEAUTY, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

FOR: PROVIDING A WEB SITE FEATURING INFORMATION AND CONTENT IN THE FIELDS OF PERSONAL RELATIONSHIPS, DATING AND FASHION; PROVIDING HOROSCOPE INFORMATION VIA COMPUTER NETWORKS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

OWNER OF U.S. REG. NOS. 758,137, 2,737,728 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GIRL", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE WORD "ELLE GIRL" IN STYLIZED LETTERING; THE WORD "ELLE" ABOVE THE WORD "GIRL" WHICH IS IN A LARGER SIZE THAN THE WORD "ELLE".

THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS SHE.

SER. NO. 77-596,109, FILED 10-20-2008.

JAMES A. RAUEN, EXAMINING ATTORNEY